ACTS

OF THE

ONE HUNDRED AND THIRTY-FOURTH LEGISLATURE

OF THE

STATE OF NEW JERSEY

AND

Sixty-Sixth Under the New Constitution.

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New Jersey State Library

The following laws, passed by the One Hundred and Thirty-fourth 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.

S. D. DICKINSON,
Secretary of State.

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OF THE

One Hundred and Thirty-Fourth Legislature

OF NEW JERSEY.

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LAWS

New Jersey State Library

ACTS

PASSED BY THE

One Hundred and Thirty-Fourth Legislature.

CHAPTER 1.

An Act granting the consent of New Jersey to the purchase by the United States of certain lands for the purpose of erecting public buildings in the city of Gloucester City, Camden county.

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

Consent to acquisition of land by federal government.

1. The consent of the State of New Jersey is hereby given to the purchase by the United States of a piece of land situated in the city of Gloucester City, county of Camden, situate on the west side of King street, south of Monmouth street, with a frontage on King street of about five hundred and twenty-two feet five inches (522′ 5″), and extending about that width westward to the exterior riparian line in the Delaware river, on which to erect buildings for immigration and other public purposes; and the United States shall have, hold, use, occupy and own the said land or lands when purchased, and exercise jurisdiction and control over the same and every part thereof, subject to the restrictions hereinafter mentioned.

Jurisdiction.

2. The jurisdiction of the State of New Jersey in and over the said land or lands mentioned in the foregoing section, when purchased by the United States, shall be and the same is hereby ceded to the United States; but

the jurisdiction hereby ceded shall continue no longer than the United States shall own the said land or lands.

Concurrent jurisdiction in civil and other process.

3. The said consent is given and the said jurisdiction ceded upon the express condition that the State of New Jersey shall retain concurrent jurisdiction with the United States in and over the said land or lands so far as that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the State of New Jersey against any person or persons charged with crimes or misdemeanors committed within said State, may be executed therein in the same way and manner as if said consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States.

Ownership and exemptions.

4. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the said land or lands by purchase or grant; and so long as said land or lands shall remain the property of the United States, when acquired as aforesaid, and no longer, the same shall be and continue to be exonerated from all taxes, assessments and other charges which may be levied or imposed under the authority of the State.

5. This act shall take effect immediately.

Approved March 1, 1910.

JOHN FRANKLIN FORT,
Governor.

CHAPTER 2.

An Act authorizing cities, other than cities of the first class, boroughs, towns, townships and villages to open or keep open inlets, streams, canals, basins or other public waterways within the limits of or forming boundaries of any such municipality.

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

Waterways within municipalities.

1. Any city, other than a city of the first class, borough, town, township or village is hereby authorized,

by ordinance adopted by the governing body of any such city, borough, town, township or village, to open or keep open any inlet, stream, canal, basin or other public waterway within the limits of or forming boundaries of any such city, borough, town, township or village; in which ordinance shall be set forth the amount of money necessary for the purpose of opening or keeping open any such waterway as aforesaid; upon the adoption of any such ordinance it shall be lawful for the treasurer of any such municipality to borrow the amount of money set forth in said ordinance by note of such municipality, and said amount shall be raised and collected as other moneys are raised and collected in such municipality, and the same shall be paid out of the first moneys received from the next tax levy after the adoption of such ordinance. The governing body of any such municipality adopting an ordinance as aforesaid shall have the exclusive charge and control of the expenditure of said moneys and the work to be done in opening or keeping open any inlet.

Funds.

Control of expenditures.

2. This act shall take effect immediately.

Approved March 1, 1910.

CHAPTER 3.

A Supplement to an act entitled "An act authorizing the construction of an inland waterway extending from Cape May to Bay Head, along the Atlantic coast, and making an appropriation therefor," approved April sixth, one thousand nine hundred and eight.

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

1. The State Comptroller be and he is hereby authorized to drew his warrant on the State Treasurer to defray the cost of any work performed prior to the first day of November, one thousand nine hundred and nine,

Payment on account of inland waterways.

or any salary or moneys due for any service rendered or material furnished prior to that date, under the provisions of the act to which this act is a supplement; said payment to be made out of the appropriation of fifty thousand dollars appropriated in the first paragraph of Item 106 of the General Appropriation Act for the fiscal year ending October thirty-first, one thousand nine hundred and ten; said payments, however, in no event to exceed the sum of five thousand dollars; no payment shall be made under the provisions of this act except the same shall first be approved by the Governor and the Commissioner of Inland Water-ways of this State.

Amount.

2. This act shall take effect immediately.

Approved March 8, 1910.

CHAPTER 4.

An Act validating proceedings for the issuance of bonds by school districts.

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

Bond issue validated.

1. All proceedings heretofore had in any school district in this State, either by the board of education of such district or by the legal voters thereof, authorizing the issue of bonds, are hereby ratified, validated, approved and confirmed, notwithstanding any omission on the part of the board of education, or of the legal voters thereof, to designate in any resolution, or in any election on any proposition, the exact amount of money to be expended for any one or more purposes authorized by law; *provided, however,* that a majority of the legal voters voting upon any proposition or propositions voted in favor of any such proposition or propositions.

Proviso.

2. This act shall take effect immediately.

Approved March 8, 1910.

CHAPTER 5.

A Further Supplement to an act entitled "A general act relating to boroughs" (Revision of 1897).

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

Building regulations.

1. In addition to the powers now given to the council of the boroughs governed by the act to which this act is a supplement, the borough council of every such borough shall have power by ordinance to regulate, control and prescribe the method and manner of building, constructing, altering or removing dwelling-houses and all other buildings or structures of every kind and nature, erected or to be erected in any such borough, and the kind and quality of materials to be used therein, and to prohibit within certain limits, to be from time to time prescribed by ordinance, the building or erection of any dwelling, building or structure of wood or other combustible material; to regulate the construction of chimneys and to compel the sweeping thereof; to regulate and require the construction of fire escapes; to regulate the setting up and the construction of furnaces, stoves, boilers, ovens or other things so as to prevent danger from their use; to regulate or prohibit the manufacture, sale, keeping, storage or use of fireworks in said borough; to regulate or prohibit the manufacture, sale, storage, keeping or conveying of gunpowder, kerosene, benzine, gasoline, burning fluid, nitro-glycerine, dynamite, camphene, coal oil, spirit gas, petroleum and other dangerous or explosive materials, and the use of candles and lights in barns, stables and other buildings; to appoint an inspector of buildings, and to prescribe his powers and duties; to prevent the occupation or continuance of work upon any building in such borough which has been condemned by the inspector of build-

Regulate explosives.

Building inspector.

ings in such borough, and to remove or destroy such building at the expense of the owners thereof.

2. This act shall take effect immediately.

Approved March 9, 1910.

CHAPTER 6.

An Act to amend an act entitled "An act respecting police departments of towns, and regulating the tenure and terms of office of officers and men employed in said departments," passed April second, one thousand nine hundred and seven.

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

Section amended. ments for

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

Require- police.

2. Each member and officer of the police force in towns shall be a citizen of the United States and a resident citizen of the town in which he is appointed, able to read and write the English language understandingly, and he must be of good moral character, of good health and sound body.

Section amended.

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

Age limit.

3. No person shall be appointed an officer or member of the police force in any town who is less than twenty-one years or over forty-five years of age at the time of his appointment.

3. This act shall take effect immediately.

Approved March 9, 1910.

CHAPTER 7.

A 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. No power vessel shall be navigated upon the waters within the jurisdiction of this State, above tidewater, where power vessels licensed to carry passengers are navigated, without first being registered, and without having her name painted on her stern, on a black background in white, yellow or gilt letters, of not less than three inches in length, or in letters of less length placed elsewhere on the boat upon permission of the Chief Inspector of Power Vessels obtained at the time of registering. Such registration shall be made in the following manner: A statement in writing shall be made to the Chief Inspector of Power Vessels containing the name and address of such owner, and the name of the boat, which name shall not be a duplicate of the name of any boat already registered, together with a brief description of the character of the same. The applicant shall pay to the said Chief Inspector a fee of one dollar for such registration, which fee shall be turned over to the treasury of the State for the use of the State. The Chief Inspector of power vessels shall issue for each power vessel so registered a certificate properly numbered, briefly describing such vessel, and stating that the same is registered and that her name is painted on her stern, or otherwise, as herein provided in accordance with the law, and shall cause the name of such

Motor boats licensed.

Name displayed.

Manner of registration.

Fee.

Certificate.

owner, with his address, the name of the boat, and the number of his certificate and a description of such vessel, to be entered on a record to be kept by the Chief Inspector of Power Vessels in alphabetical order. Every registration shall expire and the certificate thereof become void on the thirty-first day of December of each year.

Expiration.

Penalty for violations.

2. Any master or any owner or owners who shall violate any of the provisions of this act, by navigating or allowing any such vessel to be navigated without first having the same registered, and without displaying the registered name thereof as hereinabove provided, shall, upon conviction thereof, under the proceedings and in the manner as provided for in the act to which this is a supplement, and the amendments and supplements thereto, all of which proceedings the complaint, arrest, conviction, fine, etc., shall apply to the violation of this act, to be subject to a fine of not less than five dollars and not more than fifty dollars; *provided,* that this act shall not in any way apply to any power vessel licensed to carry passengers or freight for hire or towing for hire.

Proviso.

Office.

3. The Chief Inspector, appointed under the provisions of the act to which this act is a supplement, and his successors in office, shall maintain an office at or near Lake Hopatcong, and for the purposes of defraying the rental of said office and necessary incidental expenses attached to the maintenance of the same, the sum of five hundred dollars is hereby appropriated.

Appropriation.

Repealer.

4. 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 11, 1910.

CHAPTER 8.

An Act relating to the organization and management of boards of trustees of the poor in counties of the third class of this State, and fixing and defining the terms of office of said trustees and the duties of their office.

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

Election of trustees.

1. The board of chosen freeholders of all counties of the third class in this State, wherein the county almshouse is under the control and management of a board of trustees appointed by the board of chosen freeholders, shall elect, at their annual meeting on the first day of January in each year (unless the first day of January shall fall upon a Sunday, in which event the said election shall be held upon the following Monday) the members of said board of trustees in the manner now required by law. The members of the said board of trustees shall hold office until the first day of January succeeding their election and shall have and possess all the powers and perform all the duties heretofore incumbent upon the members of said boards.

Term.

Organization.

2. The said trustees so elected shall meet annually on second Monday in January, and (a quorum being present) shall proceed to the election of some suitable person, being a trustee, as president of said corporation, a treasurer, a secretary, and such other officers and assistants as they may think necessary. The officers so elected shall possess all the powers and perform all the duties heretofore incumbent upon said officers.

Powers and duties.

Records turned over to successors.

3. The officers of said boards so elected, and the officers of all boards of trustees heretofore elected, shall turn over all books, papers, bonds, notes, deeds or money in their hands to their successors in office when duly qualified.

Election of members ratified.

4. The election of the members of any such board of trustees heretofore elected by such board of chosen freeholders is hereby ratified and confirmed, and the members so elected shall have and possess all the powers and perform all the duties heretofore incumbent upon the members of such boards of trustees.

Election of officers ratified.

5. The election of the officers heretofore elected by any such board of trustees elected as aforesaid, is hereby ratified and confirmed.

Repealer.

6. All acts and parts of acts, general, special or local, inconsistent with this act, are hereby repealed.

7. This act shall take effect immediately.

Approved March 11, 1910.

CHAPTER 9.

An Act to annex to the borough of Belmar a part of the township of Wall, in the county of Monmouth.

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

Portion of Wall township annexed to Belmar.

1. All that portion of the township of Wall, in the county of Monmouth and State of New Jersey, lying within the following boundaries, to wit:

Boundaries.

Beginning at a point where the boundary line of the borough of Belmar intersects the southerly line of Sixteenth avenue, the same being in the westerly side or line of B street; thence (1) northerly along said westerly side or line of B street to a point distant sixty feet southerly from the northerly side or line of Twelfth avenue; thence (2) westerly parallel to and sixty feet distant southerly from the north side or line of Twelfth avenue, sixteen hundred and fifty feet to the middle line of E street produced southerly; thence (3) southwesterly five hundred and forty feet, more or less, to a point in the middle line of Thirteenth avenue distant one hundred and fifty feet easterly from the easterly

side or line of F street; thence (4) southerly parallel to the easterly side or line of F street, six hundred and ninety feet to the southerly side or line of Sixteenth avenue; thence (5) easterly along the said southerly side or line of the county road known as Sixteenth avenue, to the point or place of beginning,

Is hereby set off from said township of Wall, in the county of Monmouth, and annexed to and made a part of the borough of Belmar, in said county.

Effective; proviso.

2. This act shall take effect immediately; *provided, however,* it shall not operate to effect such annexation of the territory above described to the borough of Belmar until it shall have been accepted by both the territory above described, and the borough of Belmar by majorities of the qualified voters thereof voting thereon at a special election to be held on the fifteenth day of April next. The clerk of the borough of Belmar shall cause public notice of the time and place of holding said election, to be given by advertisement signed by himself and set up in at least ten public places in said borough of Belmar, and published in one or more newspapers printed and circulating therein, at least ten days prior to such election, and said clerk shall provide for each elector voting at such election ballots, to be printed or written, or partly printed or partly written, on which shall be printed the word "for" and the word "against," above and immediately preceding the 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 said act; if the word "against" is marked off or defaced upon the ballot it shall be counted as a vote in favor of the acceptance thereof; and in case neither the word "for" nor the word "against" be marked off or defaced upon the ballot, it shall not be counted either as a vote for or against such acceptance; and such special election shall be conducted by the officers of such borough provided by law for the time being to conduct elections therein, and official ballots and envelopes shall be used in said special election. The officers holding such election shall make return to the council of the said borough of the result thereof by a statement in writing, under their hands, and the same shall be enter-

Referendum.

Election notice in Belmar.

Ballots.

Election; how conducted.

Returns.

Notice of election in Wall township.

ed at length on the minutes of said council; the clerk of the township of Wall shall also cause public notice of the time and place of holding said election to be given by advertisement, signed by himself and set up in at least ten public places in the territory above described, and published in one or more newspapers circulating therein, at least ten days prior to such election, and said clerk shall provide, for each elector voting at such election,

Ballots.

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 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 said act; if the word "against" is marked off or defaced upon the ballot it shall be counted as a vote in favor of the acceptance thereof; and in case neither the word "for" nor the word "against" be marked off or defaced upon the ballot, it shall not be counted either as a vote for or against such acceptance;

Election; how conducted.

and such election shall be conducted by the officers of the township of Wall provided by law for the time being to conduct elections in the territory above described, and official ballots and envelopes shall be used at said

Returns.

election. The officers holding such election shall make return to the committee of said township of the result thereof, by a statement in writing, under their hands, and the same shall be entered at length on the minutes of said township of Wall, and thereupon and upon such adoption, but not otherwise, this act shall in all respects be operative.

Register of voters.

3. The register of voters used at the general election next preceding the holding of such special elections shall be used for the purpose of conducting such special election; it shall not be necessary for the boards of registry and elections in said borough and township to make a new register of voters for such special election, but

Revised register.

only to revise and correct the register made for the last general election, and for that purpose the said boards shall meet at such places in their respective election districts as shall be designated by the clerks of said borough and township, respectively, one week next preceding the election in each of said municipalities, re-

spectively, said meetings to begin at one o'clock in the afternoon and to continue until nine o'clock in the evening of that day for the purpose of revising and correcting the register and of adding thereto the names of all persons entitled to vote in the respective election districts at said special election who shall appear in person before them and establish to the satisfaction of the majority of the board that they are entitled to vote in that election district at said election, or who shall be shown by written affidavit of a voter residing in the same election 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, to be filed by them, and one copy shall be retained by him for use by the district board of elections at such special election.

Result of election served on respective clerks.

4. Immediately after the statement of the result of such election shall be made to the council of said borough, a copy thereof, certified by its clerk, shall be forthwith served upon the clerk of said township, and immediately after the statement of the result of such election shall be made to the committee of the said township, a copy thereof, certified by its clerk, shall be forthwith served upon the clerk of said borough; *provided*, the result of said election shall be in favor of the acceptance of this act.

Proviso.

Approved March 14, 1910.

CHAPTER 10.

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:*

Penalty for enforcing prostitution.

1. Any person who takes, places, harbors, enveigles, entices, persuades, encourages, either by threats or promises, or by any device or scheme takes or places or causes to be placed or taken any female into a house of ill-fame or of assignation, or elsewhere, against her will, for the purpose of prostitution or illegal sexual intercourse, or takes or detains a female unlawfully against her will, with intent to compel her, by force, threats, persuasion, menace or duress, to marry him or to marry any other person, or to be defiled; or any person who, being parent, guardian or having legal charge of the person of a female, consents to her taking or detention by any person for the purpose of prostitution or illegal sexual intercourse, shall be guilty of a high misdemeanor.

Illegal custody.

2. Any person who shall place any female in the charge or custody of any person or persons for immoral purposes, or in a house of prostitution, with intent that she shall live a life of prostitution, or any person who shall compel any female to reside with him or with any other person for immoral purposes, or for the purpose of prostitution, or compel her to live a life of prostitution, shall be guilty of a high misdemeanor.

Penalty for procurers.

3. Any person who shall receive any money or other valuable thing for or on account of procuring for or placing in a house of prostitution or elsewhere any female for the purpose of causing her to cohabit with any male person or persons, shall be guilty of a high misdemeanor.

As to wives.

4. Any person who, by force, fraud, intimidation or threats, places or leaves or procures any other person or persons to place or leave his wife in a house of prostitution or to lead a life of prostitution, shall be guilty of a high misdemeanor.

Penalty for accepting earnings.

5. Any person or persons who knowingly receive any money or other valuable thing, without actual and bona fide consideration, from the earnings of any woman or girl engaged in prostitution, shall be guilty of a high misdemeanor.

Illegal detention.

6. Any person or persons who attempt to detain any girl or woman in a disorderly house or house of prostitution because of any debt or debts she has contracted, or is said to have contracted, while living in said house, shall be guilty of a high misdemeanor.

Illegal transportation.

7. Any person who shall knowingly transport or cause to be transported, or aid or assist in obtaining transportation for, by means of conveyance, through or across this State, any woman or girl for the purpose of prostitution or with the intent and purpose to induce, entice or compel such woman or girl to become a prostitute, shall be guilty of a high misdemeanor; and any person who may commit the offense in this section mentioned may be prosecuted, indicted, tried and convicted in any county in or through which he shall so transport or attempt to transport any woman or girl as aforesaid.

Repealer.

8. 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 14, 1910.

CHAPTER 11.

A Supplement to 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:*

Powers of local boards of health.

1. All local boards of health of boroughs, towns, townships and villages shall, in addition to the powers now vested in them, have power to pass, alter or amend ordinances and rules within their respective jurisdictions; to license and regulate persons or corporations to engage in the business of selling or vending milk or cream; to fix a fee to be charged when such board shall deem it necessary for each license granted, not exceeding two dollars for each dealer; to prohibit unlicensed persons or corporations from engaging in said business, and to require all vehicles and conveyances used in said business to carry thereon such identification marks as may be approved by the local board of health of the jurisdiction in which the same may be used.

License milk dealers.

Term.

2. Each license granted under the provisions of the foregoing section shall continue for the term of one year from the date of granting the same; *provided,* that if any person or corporation licensed as aforesaid, or any of his or its employes, servants or agents, shall violate any ordinance or rule of said board in selling, vending or otherwise disposing of, having, holding or keeping milk or cream, such license may, in the discretion of the board which granted the same, be revoked by said board.

Proviso.

3. This act to take effect immediately.

Approved March 14, 1910.

CHAPTER 12.

A Supplement to an act entitled "An act concerning tuberculosis," 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:*

Annual appropriation.

1. There shall be and is hereby appropriated, out of the money in the treasury of this State not otherwise appropriated, the sum of ten (10) thousand dollars annually, for the uses and purposes hereinafter set forth; and the State Treasurer is hereby directed and authorized to set aside said sum on or before the first day of April in each and every year after the passage of this act, to the credit of the State Board of Health, said appropriation to be available by the said State Board of Health in the same manner as other moneys appropriated for the uses and purposes of said board.

Uses of appropriation.

2. The State Board of Health shall use the appropriation provided for for educational and practical purposes in the study, treatment and prevention of tuberculosis, by (1) the publication and distribution of literature regarding and relating to this disease; (2) in the creation and maintenance of a State Tuberculosis Exhibit, which shall be at the disposal of all communities in this State applying for its use locally, subject to such regulations as the Board of Health may adopt; (3) and in the maintenance of a special tuberculosis inspector or inspectors, to be appointed by the State Board of Health, whose duties shall be to enforce existing laws concerning registration of tuberculous cases, to advise local boards of health concerning disinfection, to inspect hospitals and sanatoria treating tuberculous patients, and to report on same to the State Board of Health, and to perform such other duties as may be ordered by the State board.

3. This act shall take effect immediately.

Approved March 14, 1910.

CHAPTER 13.

An Act relating to juvenile offenders and enlarging and defining the powers of the court for the trial of juvenile offenders and enlarging the powers and duties of the State Board of Children's Guardians.

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

Additional powers.

1. In addition to the powers now exercised by the court for the trial of juvenile offenders, and by the State Board of Children's Guardians, it shall be lawful for the court, in its discretion, to commit juvenile offenders, when they shall have been adjudged juvenile delinquents, to the care and custody of the State Board of Children's Guardians.

Inquiries to be made.

2. Whenever the court for the trial of juvenile offenders shall have committed a juvenile delinquent to the State Board of Children's Guardians, the said court shall make inquiry into the family conditions and circumstances surrounding said juvenile delinquents, and

Parents' liability.

if, in the opinion of the said court, the parents of said juvenile delinquent shall be of sufficient ability to maintain said child, the court may include in the order of

Payments.

commitment, an order requiring said parents to pay to the said State Board of Children's Guardians a sum not less than one dollar and fifty cents per week for its maintenance, and a sum of not less than two dollars per month for the clothing of said delinquents and such further sum as the State Board of Children's Guardians may expend for medical attendance; said order for maintenance and for clothing may be enforced by said court in case of disobedience thereof by attachment as for a contempt.

When county liable.

3. If, upon such inquiry, the said court shall find that the said delinquent have no means of support nor relatives legally chargeable therefor, the court shall there-

upon proceed to make inquiry into the legal settlement of such delinquent. If it shall be found that its legal settlement be in the county wherein such inquiry is held, then the court shall include in such order of commitment an order that the cost of maintenance of such child shall be borne by said county at a rate not less than one dollar and fifty cents per week for support nor less than two dollars per month for clothing, and such further sum as the State Board of Children's Guardians may expend for medical attendance. If upon such inquiry it be found that the settlement of such delinquent is in a county other than the one in which such inquiry is held, then the court shall make the order requiring such other county to provide for such delinquent in the manner aforesaid; *providing, however,* that no order shall be binding upon such other county unless a two weeks' notice in writing at least shall be given to the attorney of the board of chosen freeholders of such other county, which notice shall contain the date upon which such inquiry shall be made and shall also contain information of the general purpose of such inquiry. Proviso.

4. Upon the making of such commitment, as aforesaid, the State Board of Children's Guardians shall thereupon become and be constituted the guardian of the person of said juvenile delinquent, 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 juvenile delinquent had been committed to said board as a public charge; *provided, however*, that the State Board of Children's Guardians shall not surrender the guardianship or custody of said juvenile delinquent to its parents without the written approval of the court which made the commitment. Public guardian. Proviso.

5. This act shall take effect immediately.

Approved March 14, 1910.

CHAPTER 14.

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.

Preamble.

WHEREAS, The State of New Jersey is now the owner of a tract of land situate in the town of Kearny, in the county of Hudson, in this State, occupied as the New Jersey Home for Disabled Soldiers, a small part of which land is embraced within the limits of Brighton avenue, as the said Brighton avenue is laid out on the street maps of the said town of Kearny and also on the maps as filed in the office of the Register of Deeds of the county of Hudson; and

WHEREAS, The said piece of land is not built upon, and is of no great value, and is not necessary for the purposes of the Soldiers' Home, and is necessary for the opening of Brighton avenue and for the development of said avenue and of the said town of Kearny; therefore,

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

Portion of land ceded to Kearny.

1. The Board of Managers of the New Jersey Home for Disabled Soldiers at Kearny be, and it is hereby authorized and directed by and in behalf of and in the name of the State of New Jersey to convey and cede to the town of Kearny in the county of Hudson the said tract of land embraced within the limits of Brighton avenue in the town of Kearny as aforesaid, more particularly described as follows: Beginning in the westerly line of Brighton avenue as now opened at a point therein distant ninety-four feet and fifty-seven hundreths of a foot (94.57) southerly from the southwest corner of the same and Afton street; thence running south thirty-four degrees seventeen minutes west and along said line

of Brighton avenue extended one hundred and forty feet and thirty-four one-hundredths of a foot (140.34) to an angle; thence south thirty-three degrees thirty-eight minutes west and along the proposed westerly line of Brighton avenue two hundred and twenty-three feet and seventy one-hundredths of a foot (223.70) to the northerly line of land late of McDonough; thence along said line of land south fifty-six degrees twenty-three minutes east twenty-five feet and thirty one-hundredths of a foot (25.30) to a corner; and thence along the easterly line of land north thirty-six degrees fifty-three minutes east three hundred and fifty-eight feet and eighty-eight one-hundredths of a foot (358.88) more or less to a corner; and thence along said line of land north forty-eight degrees fifty-eight minutes west forty-four feet and fifty-three one-hundredths of a foot (44.53) to the point or place of beginning; the conveyance to be prepared and approved by the Attorney-General of the State. Conveyance.

2. This act shall take effect immediately.

Approved March 14, 1910.

CHAPTER 15.

An Act to repeal an act entitled "An act to facilitate judicial proceedings in the county of Somerset."

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

1. An act entitled "An act to facilitate judicial proceedings in the county of Somerset," passed March twenty-fourth, one thousand eight hundred and eighty-five, being chapter one hundred and four of the Laws of one thousand eight hundred and eighty-five, be and the same is hereby repealed. Act repealed.

Approved March 14, 1910.

CHAPTER 16.

An Act to amend an act entitled "An act to incorporate associations not for pecuniary profit," approved April twenty-first, one thousand eight hundred and ninety-eight.

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

Section nine amended.

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

Provide sick and death benefits.

9. It shall be lawful for associations incorporated under this act, where their certificate of incorporation so specifies, to provide for the relief of disabled or destitute members or their families and to maintain a fund for that purpose, or to contract with their members to pay death benefits according to the rules or by-laws adopted by such associations, and to agree to pay the same to the families, heirs, blood relatives, affianced husband or affianced wife, the legal representatives of such member or to persons dependent upon such member, after his or her death, which contract the beneficary therein named shall have full legal power to enforce in proceedings at law or equity.

2. This act shall take effect immediately.

Passed March 15, 1910.

CHAPTER 17.

An Act validating certain sales of lands, tenements, hereditaments and real estate sold for unpaid taxes, assessed pursuant to an act of the Legislature of the State of New Jersey, 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:*

Certain sales by tax collector validated.

1. No sale of any lands, tenements, hereditaments or real estate heretofore made by the collector of any taxing district in this State shall be invalid by reason of the failure of the collector to deliver to the purchaser within ten days after such sale, a certificate of sale under his hand and seal, duly acknowledged by him as a conveyance of land, setting forth that the property therein described has been sold by the collector to the purchaser; *provided,* such certificate shall have been delivered by such collector to the purchaser within thirty days from the date of such sale, and provided further that such sale be in all other respects in conformity to the act entitled "An act for the assessment and collection of taxes, approved April eighth, one thousand nine hundred and three," and the supplements and amendments thereto.

Proviso.

2. This act shall take effect immediately.

Approved March 15, 1910.

CHAPTER 18.

A Further Supplement to an act entitled "An act respecting conveyances" (Revision), 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:*

Certain acts of commissioner of deeds validated.

1. All acknowledgments and proofs of deeds, mortgages and other writings, and the certificates thereof, heretofore taken or made before or by any commissioner of deeds in and for this State whose term of office had expired or whose commission was void at the time of taking such acknowledgment or proof, and the record of such deeds, mortgages and other writings, are hereby confirmed and made valid and legal and effectual to the extent that the same would have been valid, legal and effectual if the term of offce of the commissioner taking such acknowledgment or proof had not expired, nor his office been vacated, nor his commission become void as aforesaid.

2. This act shall be deemed a public act, and shall take effect immediately.

Passed March 15, 1910.

CHAPTER 19.

A Supplement to an act entitled "An act respecting conveyances" (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:*

Certain deeds validated.

1. Every deed of lands, tenements and hereditaments heretofore made by a corporation shall be held to have vested in the grantee or grantees thereof as full and ample an estate in said lands as was thereby intended to be conveyed, notwithstanding said deed shall not have been sealed with the corporate seal; *provided,* that the attestation clause and the proof or acknowledgment shall recite that the said deed was sealed by said grantor.

Proviso.

Record admissible.

2. The record of every such deed shall be admissible in evidence as fully and completely for all purposes as if such deed had been duly sealed.

3. This act shall take effect immediately.

Passed March 15, 1910.

CHAPTER 20.

An Act to authorize the acquisition of land and the erection of an armory thereon in the city of Camden, county of Camden, New Jersey.

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

Armory for Battery B.

1. The State Military Board is hereby constituted a commission to select, purchase or otherwise acquire, on behalf and in the name of the State of New Jersey, a

suitable site in the city of Camden for the erection of an armory for the use of Battery B, Field Artillery, of the National Guard of the State of New Jersey, and to cause an armory to be erected thereon, as an artillery armory for the use of said Battery B, Field Artillery, of the National Guard of the State of New Jersey, and suitably equip the same when erected as aforesaid with the necessary stables and range or ranges suitable for revolver and sub-calibre artillery practice, and with all necessary fittings, furnishings and apparatus for heating the same; *provided, however,* that the State of New Jersey shall not be obliged to pay more than one hundred thousand dollars for the entire cost of purchasing the necessary lands and erecting and equipping such armory as aforesaid.

Proviso. Cost limited.

Payments.

2. For the payment of the expenses herein authorized, the Comptroller of the Treasury shall draw his warrant on the State Treasurer, and the State Treasurer shall pay the same from time to time as said Commission shall certify to the Treasurer to be necessary, and to such person or persons as they may designate, but not more than fifty thousand dollars shall be drawn from the State Treasury in one year for the purchase or other acquisition of such land and premises or the erection of such armory as aforesaid; *provided, however,* that no money shall be paid from the State Treasury for the purchase or other acquisition of such land or erection of such armory until the amount determined to be necessary for the purchase or other acquisition of such land and the erection and equipping of such armory shall be determined, and the whole or part thereof shall be appropriated by the Legislature for such purpose. The commission may, however, ascertain the amount necessary for the purpose of acquiring the necessary lands and cause plans and specifications to be prepared and bids or proposals to be made thereon for the purpose of ascertaining the necessary amount of money to be appropriated.

Proviso.

Determination of cost.

3. This act shall take effect immediately.

Passed March 15, 1910.

CHAPTER 21.

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 amendment was approved March thirtieth, one thousand nine hundred and four.

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

1. Section forty of the act to which this act is an amendment is hereby amended so as to read as follows: Section 40 amended.

40. In all cases where any person is convicted of having violated any of the provisions of this act, it shall be and may be lawful for the magistrate before whom such person was convicted to sentence such person to the workhouse, penitentiary or common jail of the county in which such person may be convicted, for a period not to exceed one year, or to impose a fine not exceeding on hundred and seventy-five dollars on such person; *provided,* the provisions of this section shall not apply to persons referred to in the ninth and seventeenth sections of this act. Penalty. Proviso.

2. This act shall take effect immediately.

Approved March 14, 1910.

CHAPTER 22.

A Supplement to an act entitled "An act relating to the State Reformatory," approved March twenty-eighth, one thousand eight hundred and eighty-five.

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

Age limit.

1. Hereafter no person above the age of twenty-five years shall be committed to the State Reformatory for any cause.

Repealer.

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

Approved March 15, 1910.

CHAPTER 23.

An Act to amend an act entitled "Supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," which said supplement was 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 amended.

1. Section one of an act entitled "Supplement to an act entitled 'An act concerning disorderly persons,'" which act was approved April third, one thousand nine hundred and two, be and the same is hereby amended so as to read as follows:

Giving false alarm of fire disorderly conduct.

1. Any person who shall willfully and maliciously ring, or cause to be rung, any bell or alarm of any fire company in any city, township or other municipality of this State, and thereby give, or cause to be given, a false alarm of fire, shall be deemed and adjudged to be a disorderly person.

2. This act shall take effect immediately.

Approved March 16, 1910.

CHAPTER 24.

An Act to provide for the furnishing and equipment of a building known as the chemistry building at the State Agricultural College.

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

Chemistry building at State College.

1. The trustees of the State Agricultural College for the benefit of agriculture and the mechanic arts be and they are hereby required to provide suitable equipment, machinery and furniture, in a building known as the chemistry building at the said State Agricultural College for the benefit of agriculture and the mechanic arts, for the education of such students of the said State Agricultural College as may elect to pursue a course of study in all branches of chemistry which may be consistent with the character of the department.

Appropriation.

2. There shall be appropriated out of the general revenues of the State the sum of twenty-five thousand dollars, to be expended in the furnishing and equipment of said building as provided for in section one of this act; *provided,* that no payments shall be made pursuant to this act until the amount thereof shall have been included in the annual or supplemental appropriations bill.

Proviso.

3. This act shall take effect immediately.

Approved March 16, 1910.

CHAPTER 25.

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.

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

Permanency of employes.

1. No employe of a municipal board of street and water commissioners, constituted under the provisions of the act to which this is a supplement, who shall have been in such employ continuously for a space of five years, shall be removed, discharged or reduced in pay or position except for inefficiency, incapacity, conduct unbecoming a public employe, or other just cause, and until he shall have been furnished with a written statement of the reasons for such removal, discharge or reduction, and shall have been given a reasonable time to make written answer thereto. Nor shall such removal, discharge or reduction be made until the charge or charges shall have been examined into and found true in fact by the board of street and water commissioners at a hearing, upon reasonable notice to the person charged, at which he may offer the testimony of witnesses or other evidence in his own behalf.

Removal for cause.

Hearing.

2. This act shall take effect immediately.

Approved March 16, 1910.

CHAPTER 26.

An Act to validate and confirm bonds heretofore or hereafter issued by any municipality to defray the cost of any sewer or sewers, system of sewerage, trunk lateral or connecting sewer connecting with and discharging into a joint outlet or trunk sewer constructed and maintained, or hereafter to be constructed and maintained, by two or more municipalities under the provisions of an act entitled "An act to authorize two or more municipalities in this State to jointly construct and maintain outlet or trunk sewers, approved March fifteenth, one thousand eight hundred and ninety-nine," and the supplements thereto.

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

Bonds issued by joint municipalities for sewer purposes validated.

1. Any bonds of any municipality which have heretofore been issued or may hereafter be issued to defray the cost of any sewer or sewers, system of sewerage, trunk lateral or connecting sewer connecting with and discharging into a joint outlet or trunk sewer constructed and maintained, or hereafter to be constructed and maintained, by two or more municipalities under the provisions of an act entitled "An act to authorize two or more municipalities in this State to jointly construct and maintain outlet or trunk sewers, approved March fifteenth, one thousand eight hundred and ninety-nine," and the supplements thereto, are hereby confirmed and validated, and shall be taken and held in all courts and places to be the legal and valid obligations of the municipality which has issued or may issue the same.

2. This act shall take effect immediately.

Approved March 17, 1910.

CHAPTER 27.

An Act to repeal an act entitled "An act relating to the formation of towns and cities," approved April ninth, one thousand eight hundred and ninety-six.

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

Act repealed.

1. The act entitled "An act relating to the formation of towns and cities," approved April ninth, one thousand eight hundred and ninety-six, is hereby repealed.

2. This act shall take effect immediately.

Approved March 17, 1910.

CHAPTER 28.

A Further Supplement to an act entitled "An act to tax the transfer of property of resident and non-resident decedents by devise, bequest, descent, distribution by statute, gift, deed, grant, bargain and sale in certain cases," approved May fifteenth, one thousand eight hundred and ninety-four.

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

Property for public use exempt.

1. All property passing to any executor, trustee or public corporation for, or to be expended in, the erection of a public monument or public memorial in this State, shall be exempt from the payment of taxes under the act to which this is a supplement.

Extent of exemption.

2. The exemption from the payment of such taxes, hereby provided for, shall extend to all property that may have heretofore passed for such purpose as well as

to all property that may hereafter pass for such purpose.

3. This act shall take effect immediately.

Approved March 17, 1910.

CHAPTER 29.

An Act concerning the compensation of certain employes in the offices of the city comptroller and city treasurer in cities of the first class.

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

Salary of deputies.

1. The compensation of the deputy city comptroller and deputy city treasurer in cities of the first class shall be fixed at such sums as the board or body having charge and control of the finances of such city shall determine, payable as other salaries in said department.

Deficiency met by bonds.

2. Any deficiency in appropriation necessary to comply with the provisions of this act shall be provided by said financial board by the issuance of temporary loan bonds, the payment whereof shall be provided for in the next tax levy.

3. This act shall take effect immediately.

Approved March 17, 1910.

CHAPTER 30.

An Act to provide for the time and manner of paying salaries in cities in this State.

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

Time for paying salaries.

1. It shall be lawful for the common council or other board or body having control of the finances of any city

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in this state to provide, by ordinance, for the manner in which salaries shall be paid, whether semi-monthly or monthly, and to prescribe the form and manner in which warrants upon the public treasury of such city 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 an ordinance duly passed for that purpose by the common council or other board or body having control of the finances of any such city, shall be deemed and taken to be in all respects regular and lawful.

2. This act shall take effect immediately.

Approved March 17, 1910.

CHAPTER 31.

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.

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 an amendment be and the same is hereby amended so as to read as follows:

Total cost of viaduct limited.

5. The total expense of viaducts contracted to be built under this act in any one year shall not exceed

seven twenty-fifths (7/25ths) of one per centum of the ratables of such county, as ascertained for the then current fiscal year; nor shall there be issued for the erection of viaducts under this act in any period of five years bonds in the aggregate to exceed seven twenty-fifths of one per centum of the ratables aforesaid.

Application.

2. The act as amended by section one of this act shall apply not only to viaducts hereafter constructed, but also to ones where contracts have been awarded but the work is not yet completed.

3. This act shall take effect immediately.

Approved March 17, 1910.

CHAPTER 32.

An Act to authorize the cities of this State to provide market facilities, and to purchase and condemn land and to erect buildings for that purpose.

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

Application for funds for market purposes.

1. Whenever in the judgment of the board of public works or other board or body in control of the public market in any of the cites of this State it is necessary to provide market facilities the said board of public works or other body may apply to the board of finance of such cities for an appropriation for such purpose, and upon such application the board of finance or other body in control of the finances of such city may appropriate such sum as in its opinion may be necessary for such purpose, and the said sum or sums so appropriated shall be raised, assessed, levied and collected at the same time and in the same manner as moneys appropriated for other purposes in such cities are raised, assessed, levied and collected; or, instead of raising such moneys by taxation the said board of finance or other body in control of the finances of such cities may borrow such

May issue bonds.

money from time to time and issue temporary loan bonds or certificates of indebtedness therefor, on which shall be indicated the purpose for which they were issued; and upon the completion of the said work the said board of finance or other body in control of the finances may issue bonds to take up the said temporary loan bonds or certificates of indebtedness. The said bonds to be designated as market bonds, and shall be of such denomination as said board of finance or other body in control of the finances may determine, and shall be made payable in not more than thirty years from the date thereof, and shall bear interest at a rate not exceeding five per centum per annum. Such bonds may be registered or coupon bonds or may be registered and coupon bonds combined, at the option of the said board of finance or other body.

"Market bonds."

Time and rate.

Acquire property by condemnation or purchase.

2. Upon the appropriation being made by the said board of finance or other body in control of the finances of such city the said board of public works or other body in charge of the market facilities of such city may purchase or condemn such lands as they may deem necessary for use as a public market, and prepare same for use as a public market, and may erect thereon such buildings and structures as may be necessaray for that purpose.

Proceedings in condemnation.

3. In the event that the said board of public works or other body in charge of market facilities cannot agree with the owner or owners of any land and property that they may deem necessary for this purpose, the said board of public works or other body shall have power, in the corporate name of such city, to take and condemn the said land and other property in the manner provided by law regulating the ascertainment and payment of compensation for property condemned or taken for public use. If either party to said condemnation proceedings shall feel aggrieved by any proceeding and award thereunder, the said party may appeal in the manner provided by law for appeals from such proceeding and award. In the event that the award of the commissioners upon condemnation or judgment of the court upon appeal should be in excess of the moneys appropriated by the board or other body having charge of the

finances of such city, such board or body shall appropriate such additional sum or sums of money as may be necessary to pay the said award or judgment.

Charges for use of market.

4. The said board of public works or other body having charge of said market may charge and collect reasonable fees for the use thereof, and the net revenues so derived shall be devoted exclusively to the payment of the interest which may accrue upon the said bonds, and to a sinking fund for their redemption and payment when due, and shall, where sinking fund commissioners exist in any such cities, be annually paid over to them for this purpose. In the event that at any time the revenue derived from such market is more than sufficient to provide for the redemption of the said bonds at maturity, the excess revenues may be appropriated to any purpose that the board of finance or other body in charge or control of the finances of such city may see fit.

Sinking fund.

Use of excess funds.

In case of insufficient funds.

5. If at any time the net revenues from the said market are insufficient to provide a fund sufficient to meet the annual interest due upon said bonds and to furnish a sinking fund sufficient for their payment and redemption when due, it shall be the duty of the board of finance or other body in control of the finances in such cities to place annually in the tax levy and collect such sums in addition to the revenue aforesaid as will be sufficient to provide a fund to pay such interest and to redeem and pay said bonds at their maturity.

6. This act shall take effect immediately.

Approved March 21, 1910.

CHAPTER 33.

An Act creating the "Washington's Crossing Commission," and defining its powers and duties.

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

Board of commissioners.

1. The Governor of this State is hereby authorized to appoint fifty persons, residents of this State, who shall constitute, and are hereby appointed and constituted, a board of commissioners by the name and style of "Washington's Crossing Commission." The terms of such commissioners shall be at the pleasure of the Governor, and he is likewise authorized to fill any vacancies occurring in the said commission. No member of such commission shall receive any compensation for his services as commissioner. Any fifteen of said commissioners shall constitute a quorum at any stated or specially called meeting.

Term.

No pay.

Quorum.

Body politic.

2. Such board of commissioners, and their successors, are hereby created a body politic, with power to sue and be sued, to adopt and use a common seal and to adopt by-laws to regulate its proceedings. Such commission shall annually choose from among its members a president, a vice-president, a treasurer and secretary, and appoint such other officers and employes as it may deem necessary to carry out the purposes of this act. It may also determine the duties and compensation of such appointees, subject to appropriation for that purpose by the Legislature, and shall make all reasonable rules and regulations respecting the appointment, compensation and removal of such employes not inconsistent with the laws of this State.

Organization.

Rules, etc., governing appointees.

Select lands for State park.

3. Such commission shall have power to select and locate such lands at McConkey's Ferry, commonly known as Washington's Crossing, in the county of Mercer and State of New Jersey, as may in their opinion

be proper and necessary to be reserved for the purpose of establishing a State park.

Powers, etc.

4. The said commission shall have power to acquire, maintain and make available for use as a public park the lands located as aforesaid, and for this purpose shall have power to take in fee or otherwise, by purchase, gift, devise or eminent domain, the said lands, or any of them, and any rights, interests and easements therein. Deeds of conveyance for such lands shall be made to the said commission by its corporate name, and it shall be the duty of the said commission to preserve, care for, lay out and improve the said park and to make rules for the use and government of the same. The said commission shall also have power to lay out, construct and maintain roads and pathways upon, across and over the said park, and for this purpose to acquire rights of way upon and across any intervening lands.

Acquire property by purchase or condemnation.

5. The said commission shall have power and authority to acquire lands for the purposes mentioned in this act, and in case they shall be unable to agree with the owner or owners of any of such lands, or when by reason of the legal incapacity or absence of such owner or owners or for any other cause no agreement can be made for the purchase thereof, such lands shall be acquired and the compensation shall be ascertained and paid in the manner provided by the general laws of this State regulating the ascertainment and payment of compensation for property condemned or taken for public uses, and subject to the procedure and practice prescribed by said laws; *provided, however,* that in fixing the compensation to be paid for such lands, no allowance or deduction shall be made on account of any real or supposed benefit which the parties interested may derive from said park or improvement for which such lands are to be taken, and the commission or any party may appeal from said award and such appeal shall be heard and determined in the manner provided by said laws.

Proviso.

Expenditures.

6. The said commission is hereby authorized to expend such sums of money as may be included in any appropriation bill for the necessary expenses of the said

commissioners in carrying out the provisions of this act, but not for the acquisition of any lands unless specifically authorized so to do by appropriation for such specific purpose by the Legislature.

7. This act shall take effect immediately.

Approved March 21, 1910.

CHAPTER 34.

An Act authorizing overseers of the poor in cities of the second class in this State to employ an assistant.

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

Assistant overseer of the poor.

1. In cities of the second class the overseer of the poor may employ an assistant, who shall be authorized to perform the duties of the overseer of the poor during his temporary absence or incapacity, and who shall be paid for his services by said overseer of the poor.

2. This act shall take effect immediately.

Approved March 22, 1910.

CHAPTER 35.

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.

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

Assistant commissioner of charities; salary.

1. The Governor shall appoint some fit and suitable person, at an annual salary not to exceed twelve hun-

dred dollars, to assist the Commissioner of Charities and Corrections, in such manner as said Commissioner may direct, in connection with the duties imposed by the act to which this is a supplement. Such person so appointed shall be entitled to be paid out of the treasury of the State such sums as he or she shall incur for necessary traveling expenses. The salary and traveling expenses of such person shall be paid monthly by the State Treasurer, upon the warrant of the State Comptroller; but no money shall be paid out of the treasury for such traveling expenses, except on duly verified bills presented to the State Treasurer.

Expenses met.

2. This act shall take effect immediately.

Approved March 22, 1910.

CHAPTER 36.

An Act to amend an act entitled "An act concerning corporations" (Revision of 1896), approved April twenty-first, one thousand eight hundred and ninety-six.

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

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

Section 54 amended.

54. Upon the dissolution in any manner of any corporation, the directors shall be trustees thereof, with full power to settle the affairs, collect the outstanding debts, sell and convey the property and divide the moneys and other property among the stockholders, after paying its debts, as far as such moneys and property shall enable them. They shall have power to meet and act under the by-laws of the corporation, and, under regulations to be made by a majority of said trustees, to prescribe the terms and conditions of the sale of such

Directors to be trustees on dissolution.

property, and may sell all or any part for cash, or partly on credit, or take mortgages and bonds for part of the purchase price for all or any part of said property. In case of a vacancy or vacancies in the board of directors of such corporation existing at the time of dissolution or occurring subsequent thereto, the surviving directors or director shall be the trustees or trustee thereof, as the case may be, with full power to settle the affairs, collect the outstanding debts, sell and convey the property and divide the moneys and other property among the stockholders, after paying its debts, as far as such moneys and property shall enable them, and to do and perform all such other acts as shall be necessary to carry out the provisions of this act relative to the winding up of the affairs of such corporation and to the distribution of its assets.

In case of vacancies, survivors to act.

2. This act shall take effect immediately.

Approved March 23, 1910.

CHAPTER 37.

An Act to make the proceedings of the Department of New Jersey of the Grand Army of the Republic a part of the military archives of the State, and to provide for the printing of the same.

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

Adjutant-General to print annual proceedings of G. A. R.

1. Whenever the commander of the Department of New Jersey, Grand Army of the Republic, shall forward to the Adjutant General of New Jersey a properly prepared and duly certified copy of the proceedings of their annual encampments, together with a complete series of the general and special orders, circulars and other data which may form a part of said proceedings, then the said proceedings, so reported, shall be considered part of the military archives of this State, and, in the discre-

tion and under the direction of the Adjutant General of New Jersey, such part of said proceedings as he shall approve shall be printed and bound; and a printed and bound copy thereof shall be sent to each Grand Army post, and to each public library in the State of New Jersey, together with an additional fifty printed and bound copies for exchange under the direction of the Adjutant General of New Jersey; also five hundred advance copies of the annual report of the department commander and sundry officers for the use of the annual encampment, unbound. Disposition of copies.

2. The sum of five hundred dollars, or so much thereof as may be necessary, is hereby appropriated, when included in the annual or supplemental appropriation bills, to pay for the printing and distribution of the proceedings as set forth in the first section of this act. Appropriation.

3. This act shall take effect immediately.

Approved March 23, 1910.

CHAPTER 38.

An Act to amend an act entitled "An act concerning the militia of the State" (Revision of 1906), approved May sixteenth, one thousand nine hundred and six.

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

1. Section one hundred and twenty-seven of the act referred to in the title of this act is hereby amended to read as follows: Section 127 amended.

127. Every commissioned officer of regiments, troops, batteries, companies, signal corps, the naval reserve, and every commissioned officer attached to the various departments of the militia and known as departmental or staff officers, as distinguished from the officers commissioned in regiments, troops, batteries, companies, signal corps and the naval reserve, shall provide himself Officers entitled to allowance for uniforms.

with the arms, uniforms and equipments prescribed by the regulations and bill of dress of this State, and there shall be allowed annually for such uniforms and equipments a sum not exceeding twenty (20) dollars for such officers; said allowance to be paid on vouchers of expenditures for such uniforms and equipment, duly verified by affidavit.

Amount.

Repealer.

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

Approved March 23, 1910.

CHAPTER 39.

An Act to amend an act entitled "An act to authorize cities of the first class in this State to provide music in the public parks of such cities during the months of July and August in each year," approved April ninth, one thousand nine hundred and two.

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 to authorize cities of the first class in this State to provide music in the public parks of such cities during the months of July and August in each year," approved April ninth, one thousand nine hundred and two, be and the same is hereby amended so as to read as follows:

New title.

"An act to authorize cities of the first class in this State to provide music in the public parks of such cities during the months of June, July, August and September in each year."

Section 3 amended.

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

Music in city parks.

It shall be the duty of the municipal board or body having charge of the public parks in any such city to

expend the said sum of money so appropriated as aforesaid in providing instrumental or band music in the public parks of such city during such of the months of June, July, August and September in each year as said municipal board shall provide such instrumental or band music.

3. This act shall take effect immediately.

Approved March 23, 1910.

CHAPTER 40.

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:*

Acceptance of nomination necessary to place name on ballot.

1. 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 ten 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.

Repealer.

2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

3. This act shall take effect immediately.

Approved March 23, 1910.

CHAPTER 41.

An Act to further amend and supplement an act entitled "An act to create a Board of Railroad Commissioners for the State of New Jersey, and to prescribe its powers and duties," approved May fifteenth, one thousand nine hundred and seven, by enlarging the powers of said commission and extending its jurisdiction over the other public utilities of the State.

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

Title of act changed.

1. The title of the act to which this is a further amendment and supplement is hereby amended to read as follows: "An act to create a Board of Public Utility Commissioners for the State of New Jersey, and to prescribe its powers and duties."

Board name changed.

2. The name of the board created by section one of the act to which this is a further amendment and supplement, and which is therein called the Board of Railroad Commissioners, is hereby changed to the Board of Public Utility Commissioners.

Compensation of board and secretary.

33. The members of said board shall receive a compensation of six thousand dollars per annum. The secretary of said board shall receive a salary to be fixed by said board, not exceeding four thousand dollars per annum. The total expenses of the board, including salaries, shall not exceed fifty thousand dollars per annum.

Employes not to be interested in companies.

No employe of said board shall have any official relation with or hold any stock in any public utility as hereinafter defined, operating within the State of New Jersey.

Members interested in any company not to act.

No member of said board shall sit or take any part in any proceeding concerning or with regard to any such public utility in which he holds any stock, bonds, or other securities, nor shall any member of said board or employe thereof hold any office under the govern-

ment of the United States, or any other salaried office under the government of this State.

Jurisdiction.

4. The jurisdiction of said board is hereby extended to and over all public utilities, which term is herein defined to include every railroad, express, street railway, traction, canal, subway, pipe line, gas, electric light, heat and power, water, sewer, telephone, telegraph or other corporation, association or joint stock company, operating within the State of New Jersey for public use, under privileges granted by the State or by any municipality thereof.

Powers.

5. Said commission shall have general supervision over all public utilities as herein defined, and shall have power, after hearing upon notice, by order in writing:

Compel compliance with laws.

(a) To require every public utility as herein defined to comply with the laws of this State relating thereto, and to perform the public duties imposed upon it thereby;

Service.

(b) To require every public utility, as herein defined, to furnish safe and adequate service;

Books and records.

(c) To require every public utility, as herein defined, to keep its books, records and accounts so as to afford an intelligent understanding of the conduct of its business, and to that end to require every such public utility of the same class to adopt a uniform system of accounting;

No rebating.

(d) To direct any public utility, as herein defined, found to be granting rebates, or other unjust, unfair and unreasonable discriminations to immediately cease therefrom.

As to accidents and rates.

Said commission shall also have power to investigate any accident happening in connection with the operation of any public utility, as herein defined; to hear and examine complaints concerning rates charged by any such public utility, and to make such recommendations as it may see fit concerning accidents and rates.

Examinations.

In furtherance of the foregoing powers, said commission shall also have power to compel the attendance of witnesses and the production of papers, accounts and documents, to swear witnesses and issue subpœnas, all in the manner provided in the act to which this is an amendment and supplement.

Issue of securities to be approved.

6. No issuance, sale and delivery of its stock or of securities authorized by it and maturing more than twelve months from the date thereof, hereafter made by any such public utility as herein defined and created by this State, shall be valid until approved by said board. It shall be the duty of said board to approve of any such proposed issuance, sale and delivery of stock or securities, maturing more than twelve months from the date thereof, upon being satisfied that said proposed issuance, sale and delivery is to be made in accordance with the provisions of law relating thereto. No lease of its property, rights and franchises by any such public utility, and no merger or consolidation of its property, rights and franchises by any such public utility with the property rights and franchises of any other such public utility shall be valid until approved by said board.

Leases, mergers, etc., must be approved to be effective.

Enforcement of orders.

7. All orders made by said Commission pursuant to this act shall be enforcible in the manner provided in the act to which this is a further amendment and supplement, and the right of appeal from all orders of said Commission is hereby conferred upon every public utility, as herein defined, to be exercised in the manner now provided in said act.

Appeals.

Local grants of franchises to be confirmed.

8. No privilege or franchise hereafter granted to any public utility, as herein defined, by any local, municipal or county governing body shall be valid until approved by said board, whenever it shall, after due hearing, determine that such privilege or franchise is necessary and proper for the public convenience.

Appellate jurisdiction.

9. Any public utility, as herein defined, may appeal to said board from any order or regulation made under existing law by any local, municipal or county governing body, and said board is hereby given jurisdiction to hear said appeal and to determine the matter in question on the merits, and make such order in the premises as may seem just and reasonable; and no such public utility, as herein defined, shall hereafter give, grant or bestow upon any local, municipal or county official any discrimination, gratuity or free service whatsoever, but nothing herein contained shall prevent the free transportation of uniformed public officers while engaged in the performance of their public duties.

No favors bestowed.

Uniformed officers to ride free.

10. Nothing in this act shall be held to modify or repeal any of the provisions of the act to which this is an amendment and supplement, except in so far as such provisions are inconsistent with this act. Extent of act.

Approved March 24, 1910.

CHAPTER 42.

An Act to release the title and interest of the people of the State of New Jersey in and to certain real estate, situate in the city of Orange, Essex county, New Jersey, of which Moses Bennett died seized.

WHEREAS, Daniel O'Rourke and Margaret O'Rourke, his wife, by deed dated the first day of June, in the year one thousand eight hundred and fifty-seven, did convey a tract of land or real estate, situated in the city (then township) of Orange, in the county of Essex and State of New Jersey, hereinafter particularly described, to Moses Bennett, which deed was recorded in the clerk's office of the county of Essex on the twenty-third day of June, in the year one thousand eight hundred and fifty-seven, in Book F 10 of Deeds for said county, on pages 515, 516 and 517; and Preamble.

WHEREAS, Said Moses Bennett died in the year one thousand eight hundred and sixty-four, seized of the property hereinafter described, intestate, leaving him surviving his lawful widow, Ann Bennett, but without leaving him surviving any heirs, issue or legal representatives, by reason of which the said property hereinafter described has escheated to the State; and

WHEREAS, The said Ann Bennett, widow of Moses Bennett, was the sister of said Margaret O'Rourke, wife of said Daniel O'Rourke; and

WHEREAS, Said Ann Bennett, on or about the fifteenth day of August, one thousand eight hundred and

sixty-eight, by deed dated the same day, did attempt to convey the title to the said property, hereinafter described, by quit-claim deed to said Margaret O'Rourke, which deed was recorded in the register's office of the county of Essex on the nineteenth day of January, in the year one thousand eight hundred and sixty-nine, in Book G 14 of Deeds for said county, on pages 148, 149; and

WHEREAS, The said Ann Bennett died at Orange, New Jersey, in the month of August, in the year one thousand eight hundred and seventy-one; and

WHEREAS, The said Margaret O'Rourke was the mother of Mary O'Rourke Keeney, wife of John F. Keeney, of the city of Orange, in the county of Essex and State of New Jersey; and

WHEREAS, The said Mary O'Rourke Keeney was the only surviving child and only heir-at-law of said Daniel O'Rourke and said Margaret O'Rourke,

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

All property right released by State.

1. All the right, title, interest, property, claim or demand of the State of New Jersey in and to all that certain lot, tract or parcel of land, situate, lying and being in the city of Orange, county of Essex and State of New Jersey, particularly described as follows:

Description of property.

Beginning at the corner of Lot No. 5, being the northwest corner of said lot, on the south side of Wallace street; thence running southwesterly at right angles with said street one hundred feet; thence northwesterly fifty feet to Lot No. 8; thence northeasterly one hundred feet to Wallace street; thence along the same southeasterly fifty feet to the beginning, laid down and designated on a map of building lots made by John Snyder as Lot No. 7, being a part of the Ezra Crane property. Which said premises were conveyed to said Moses Bennett by Daniel O'Rourke and Margaret, his wife, by deed dated June 1, 1857, recorded in the clerk's office of the county of Essex in Book F 10 of Deeds for said county on pages 515, 516 and 517. Together with the hereditaments and appurtenances thereunto belonging, is hereby remised, released, conveyed and con-

firmed unto the said Mary O'Rourke Keeney, the only heir-at-law of the said Margaret O'Rourke, deceased, and to her heirs and assigns forever, provided that the recitals of this act are true.

2. This act shall take effect immediately.

Approved March 24, 1910.

CHAPTER 43.

An Act to amend an act entitled "An act to provide for the purification of the waters of the Passaic river within the Passaic valley sewerage district, prohibiting the discharge of sewage or other polluting matter into said portion of said river after a fixed date, and authorizing municipalities lying in whole or in part within the Passaic valley sewerage district, from the territory of which sewage or other polluting matter is or may be discharged into said portion of said river, to enter into contracts with each other and with the Passaic Valley Sewerage Commissioners for the intercepting and disposal of such sewage and other polluting matter, and to provide the necessary funds therefor," approved March eighteenth, one thousand nine hundred and seven.

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

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

6. For the purpose of defraying the cost and expense of the construction of such intercepting sewer or sewers, plant and works, and appurtenances, and of making the payments which shall be designated and required to be made by such joint contract, the governing body or board in charge of the finances of each contracting Negotiate temporary loans.

municipality is hereby authorized and empowered to borrow the money necessary to make such payments upon the notes or other temporary obligations of such municipality, which notes or obligations may be renewed from time to time until permanent bonds shall have been issued by such municipality to take up and pay for the same.

Bond issue.

And each contracting municipality shall have the power and is hereby authorized from time to time to issue its bonds for the purpose of raising money necessary to pay its notes or other temporary obligations, including interest, issued and outstanding, for the purpose hereinbefore stated, or to make any of the payments required by the said contract, which said bonds shall be in such amounts and bear interest at such rate, not exceeding six per centum per annum, and shall be payable at such time and place as the governing body or board having charge of the finances of such municipality shall, by resolution duly adopted, determine.

Amount, rate, time.

Limit to total indebtedness.

The total amount of indebtedness incurred and of bonds issued by any municipality under the authority of this act shall not exceed two and one-half per centum of the tax ratables within such municipality as shown by its official books of the last assessment for taxes therein, but said indebtedness and bonds shall be held to be authorized in addition to the amount of indebtedness and bonds fixed by the charter or general act as a limitation beyond which such municipality may not incur indebtedness or issue bonds, and said indebtedness and bonds authorized by this act shall not be taken to be included within or governed by any such limitation.

2. This act shall take effect immediately.

Approved March 24, 1910.

CHAPTER 44.

A Supplement to an act entitled "An act concerning trust companies" (Revision of 1899), 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:*

Conditions governing withdrawal of securities deposited in Prerogative Court.

1. Whenever a trust company, at any time heretofore or hereafter, for the purpose of qualifying itself for appointment as an assignee, receiver, administrator, guardian or trustee by any surrogate or court of this State, has created or set apart a fund or funds specially devoted to securing its liabilities in such capacities of trust and confidence, and has deposited with the register of the Prerogative Court securities representing such fund or funds, and has, subsequently to the creation of such fund or funds, reduced or totally discharged its liabilities with respect to which such fund or funds are specially responsible, it shall be lawful for such company to reduce such fund or funds and to withdraw from deposit with the register of the Prerogative Court securities representing the amount of such reduction, upon the order of the Ordinary, upon its being made to appear by the oath, in writing, of the president, vice-president or treasurer of such company or otherwise to the satisfaction of the Ordinary that, after making allowance for the securities so to be withdrawn, the liabilities of such company for which such fund or funds are specially set apart will not exceed five times the value of the residue of such fund or funds, or, if such residue amounts to or exceeds one hundred thousand dollars, that such liabilities will not exceed ten times the value thereof; and it shall be lawful for such company to entirely abolish such fund or funds and to withdraw

Liabilities proportionate to residue.

Fund may be entirely abolished.

from deposit with the register of the Prerogative Court the securities representing the total amount thereof, upon the order of the Ordinary, upon its being made to appear, by oath as aforesaid, or otherwise to the satisfaction of the Ordinary, that such company is under no remaining liability for which the said fund or funds is or are specially responsible.

2. This act shall take effect immediately.

Approved March 24, 1910.

CHAPTER 45.

An Act authorizing counties, cities and other municipalities to deposit moneys with national banks, State banks and trust companies.

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

Depositories for public funds.

1. It shall be lawful for any county, city or other municipality in this State to select as a depository for the money of such county, city or other municipality any bank organized under the laws of the United States, having its place of business in this State, or any bank or trust company organized under the laws of this State.

2. This act shall take effect immediately.

Approved March 24, 1910.

CHAPTER 46.

An Act relative to printing the reports of the Geological Survey of New Jersey.

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

Annual administrative report made to Governor and printed in full.

1. The State Geologist shall make to the Governor an annual administrative report of the operations of the Geological Survey. He shall also, from time to time, prepare or cause to be prepared such scientific reports as are pertinent to the work of his department. The State Printing Board shall have authority, on recommendation of the Board of Managers of the Survey, to order printed as submitted any or all such scientific reports. The cost of printing such reports shall be paid from the appropriation for printing public documents.

2. This act shall take effect immediately.

Approved March 24, 1910.

CHAPTER 47.

An Act to amend an act entitled "An act to authorize the construction and establishment of public docks and the shipping facilities connected therewith, and the purchasing and acquiring of riparian lands and rights and other lands and rights in lands necessary therefor or incident thereto, and for the regulation of the same in cities fronting on navigable waters of this State," approved October twenty-first, one thousand nine hundred and seven.

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

Section 6 amended.

1. Section six of an act entitled "An act to authorize the construction and establishment of public docks and

the shipping facilities connected therewith, and the purchasing and acquiring of riparian lands and rights and other lands and rights in lands necessary therefor or incident thereto, and for the regulation of the same in cities fronting on navigable water of this State," approved October twenty-first, one thousand nine hundred and seven, be and the same is hereby amended to read as follows:

Board of finance to issue dock bonds.

6. To provide for the payment of the costs and expenses incurred or to be incurred for the purchase of lands, rights or interest in lands or other property and rights, and in the construction of wharves, docks, basins, canals, railways and other structures herein authorized to be purchased, acquired or constructed under this act, and for the retirement of temporary loan bonds, authorized to be issued under section five of this act, the board having charge of the finances of such city shall have power from time to time to issue the corporate bonds of said city, in an amount not exceeding the total cost, including interest, of the whole work; said bonds shall

Name.

be called dock bonds; they shall be issued under the corporate seal of the city, attested by the city clerk and signed by the mayor; they shall be in the form and in the denomination and payable at such times, not exceed-

Time.

ing fifty years, and at such place, either in currency or coin, as said financial board may determine, and such

Rate.

bonds shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually, and may be either coupon or registered bonds, or partly coupon and partly registered bonds; and all such bonds may be negotiated, sold and disposed of at not less than their par value. And the said board having charge of the finances of such city shall provide a proper and suitable

Sinking fund.

sinking fund, not exceeding in amount in any one year one per centum of the face value of the bonds issued, which sum, together with the interest on said bonds, except as hereinafter provided, shall be raised annually as other taxes are raised in said city.

2. This act shall take effect immediately.

Approved March 24, 1910.

CHAPTER 48.

A Supplement to an act entitled "An act to establish public parks in certain counties in this State and to regulate the same," approved March fifth, one thousand eight hundred and ninety-five.

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

Park police pension fund.

1. In all counties in which the act to which this is a supplement is or may hereafter become operative, there may be established a park police pension or retirement fund, which shall be constituted, managed and distributed as hereinafter provided.

Control of fund.

2. The said fund in each said county shall be managed and controlled by the board of park commissioners of that county; the secretary of said board of park commissioners shall be treasurer, ex officio, of said fund, and all moneys of said fund shall be received and disbursed by him, and shall be deposited in such bank or banks of deposit as the board of park commissioners shall designate. The said treasurer shall give bond in such sum as the board of park commissioners shall determine, with a surety or sureties to be approved by the said board, for the faithful performance of his duties. If the surety on such bond is a corporation, the premium and premiums upon such bond required by such corporation shall be paid by the board from the funds under its management. It shall be the duty of every such board of park commissioners to invest and keep invested the moneys of said fund, so far as the same can be done, in the securities authorized by law for the investment of trust funds.

Treasurer's bond.

Investments.

Sources of fund.

3. The board of park commissioners of every such county shall, monthly and in each month, pay to the treasurer of said fund all moneys collected in payment

of fines imposed upon members of the police force, all moneys deducted or withheld from the pay of members of the police force by reason of absence from duty from any cause, which moneys shall constitute part of said police pension or retirement fund; to said fund there shall also be added any moneys from time to time donated to this purpose, and all moneys derived from the sale of unclaimed goods or property coming into the possession of the police department of such county park commission; to such fund there shall also be added the moneys collected by subscription or assessment from or upon the members of the police force or department of such county park commission, which subscription or assessment shall be at least one per centum per annum and not more than three per centum per annum, in the discretion of the said board of park commissioners, of the annual salary of every such member of the police force or department, in order to entitle him to the benefits of such pension or retirement fund as hereinafter provided; and such assessment shall be collected semi-monthly from the salary of said members of said police force. On the first day of January in every year there shall also be added to such fund a sum equal to at least five per centum of the salaries in aggregate paid to said police force during the preceding year, which sum shall be taken from the funds in possession of said county park commission for the maintenance of the parks under its control.

Gross contribution by park commission.

Beneficiaries.

4. Each of the persons hereinafter specified shall be entitled to receive a pension for life from the fund herein directed to be established, equal to one-half of his salary at the time of his retirement; *provided,* said fund shall be sufficient for the payment of the pension hereinafter provided for; and in case it shall not be sufficient for that purpose at any time, then all of said pensions shall abate proportionately: Every member of the police force or department of such county park commission having paid into the fund the full amount of the annual assessments or contributions of at least one per centum of his salary and who shall have received permanent disability from injury or sickness incurred while in actual service, so as to incapacitate him from

Proviso.

Conditions.

duty, upon the certificate of the police surgeon or other physician or board of physicians designated by the park commissioners for this purpose. Every member of the police force or department of such county park commission having paid into the fund the full amount of the annual assessments or contributions of at least one per centum of his salary and who shall have attained the age of sixty years and have served in all for a period of twenty years in said police force or department, such service not being required to be continuous, may, upon application of such member or by the vote of said park commission, be so pensioned and retired. The widow of every member of the police force or department of such county park commission having paid into the fund the full amount of the annual assessments or contributions of at least one per centum of his salary and who shall have lost his life in the performance of duty shall, so long as she remains unmarried, receive a pension equivalent to one-half the pay of her deceased husband, and at her death, unmarried, her minor children, until the youngest reaches the age of fourteen years, shall receive the amount of said pension for their support.

As to widows and children.

5. The pension hereby authorized shall be paid monthly by the said treasurer, and the said board of park commissioners of every such county shall and are hereby empowered to regulate the pensions and matters above stated, and make all requisite rules and regulations necessary therefor not inconsistent with this act.

Monthly payments.

6. 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 28, 1910.

CHAPTER 49.

An Act to repeal sections three, four, five and six of an act entitled "Supplement to an act entitled 'An act to revise and amend the charter of the city of Elizabeth,'" approved March third, one thousand eight hundred and sixty-three, approved March seventeenth, one thousand eight hundred and seventy.

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

Sections repealed.

1. Sections three, four, five and six of an act entitled "Supplement to an act entitled 'An act to revise and amend the charter of the city of Elizabeth,'" approved March third, one thousand eight hundred and sixty-three, approved March seventeenth, one thousand eight hundred and seventy, which sections read as follows:

"3. *And be it enacted,* That the exclusive power to grant licenses to persons to keep inns and taverns and victualing houses, with the privilege of retailing spirituous liquors within the said city, shall be vested in a board of excise, to consist of the mayor of the city, for the time being, and four persons to be appointed by the city counsel. The city counsel shall, as soon as practicable, appoint four persons, citizens, freeholders and residents of the city, residing as near as may be in the different sections thereof, as members of the said board; and said persons, other than the mayor, shall, at their first meeting, determine by lot which of their number shall serve until the first day of May, eighteen hundred and seventy-one, which for one year thereafter, which for two years thereafter, and which for three years thereafter, and the city council shall thereafter fill all vacancies for an unexpired term, and appoint a member for a full term of four years, within one month of the expiration of any member's term of office; the

mayor, for the time being, shall always be ex officio a member of the said board; and at the expiration of each term the full term succeeding shall be four years.

"4. *And be it enacted,* That the board of excise shall meet in the city council chamber on the first Monday of April in each year, and at such other times as they may appoint, for the purpose of receiving and hearing applications for licenses; the board shall elect by ballot one of their number chairman of said board; and the city clerk shall be clerk of the board; the city clerk shall keep a full record of the proceedings of the board in a book to be provided for that purpose, which record shall be certified by the chairman and the clerk of the board, and deposited in the office of the city clerk. A majority of all the members elected to the board shall constitute a quorum for the transaction of business, and no license shall be granted without the vote of a like majority.

"5. *And be it enacted,* That every application for license as aforesaid shall be made to said board by the petition of the person or persons applying for the same, stating the place or premises where the said inn and tavern, or victualing house is proposed to be kept, and a certificate thereunto annexed, signed by at least twelve respectable citizens and freeholders in the ward in which the place or premises is or are situate, setting forth that such inn and tavern or victualing house is necessary to accommodate the public and entertain strangers and travelers, and that such person or persons is or are of good repute for honesty and temperance, well capable of carrying on the trade or business for which the license is requested, and well provided with room and other suitable conveniences for the comfort and accommodation of the public, of strangers and travelers.

"6. *And be it enacted,* That the board of excise shall have power on every application to keep an inn and tavern, or victualing house as aforesaid, to grant or withhold the same, and to revoke for cause shown, any license whatever granted by such board; the said board shall charge for every license granted not less than twenty, nor more than one hundred dollars, and may attach such terms and conditions to the license as they

may deem proper; and no license shall be granted for a longer term than one year. Every license shall be signed by the chairman and clerk of the board, and no license shall be delivered until the fee therefor shall be paid to the city clerk; and all moneys received for licenses shall be paid to the city treasurer. Every license granted as aforesaid, and the person or persons to whom the same shall be granted, shall be subject to the provisions of an act entitled 'An act concerning inns and taverns,' and the supplement or supplements thereto, except so far as the same may be inconsistent with the provisions of this act."

Be and the same are hereby repealed.

2. This act shall take effect immediately.

Approved March 28, 1910.

CHAPTER 50.

An Act for the enlargment of the New Jersey Home for Disabled Soldiers, Sailors or Marines and their Wives at Vineland.

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

Enlargement of soldiers', etc., home at Vineland.

1. The Board of Managers of the New Jersey Home for Disabled Soldiers, Sailors or Marines and Their Wives, at Vineland, be and they are hereby authorized to make such changes, alterations, improvements and additions to the said Home as are hereinafter provided for. The said Board shall have the power to alter and enlarge the said Home by constructing and furnishing a new wing or tee to the west side of said Home building, to be built with due regard to safety, convenience and sanitation. The plans for the changes, alterations and erection of the new wing or tee herein authorized shall be prepared by the Commissioner of Charities and Corrections.

Plans, etc.

Work done by contract.

2. The Board shall have power to advertise and contract for the said work, either as a whole or for separate parts thereof, reserving the right to reject any or all bids deemed disadvantageous to the State.

Approval of contracts.

3. Any contract for the said work shall receive the approval of the Governor and the Commissioner of Charities and Corrections before the same shall be operative. All contracts for said work shall be drawn or approved by the Attorney-General.

Appropriation.

4. To enable the Commission to carry out the provisions of this act, the sum of fifty thousand dollars ($50,000), or so much thereof as is found necessary, is hereby appropriated, when included in the annual or supplemental appropriation bill, to be paid by the State Treasurer, on approval of the said Board, upon warrant of the Comptroller.

Report to Legislature.

5. The Board shall make a detailed report of their operations to the next Legislature.

6. This act shall take effect immediately.

CHAPTER 51.

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 (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:*

Season for water fowl on Delaware river.

1. Hereafter it shall be lawful for any person to shoot any goose, duck, swan, brant, or any kind of water fowl whatsoever, on the Delaware river and bay between the first day of September and the first day of March in each year, both dates inclusive. Any per-

son who shall capture, kill, injure or destroy on the Delaware river or bay any goose, duck, swan, brant, or any kind of water fowl whatsoever, at any time other than between the dates mentioned in this act, shall be liable to a penalty of twenty dollars for each goose, duck, swan, brant, or any kind of water fowl whatsoever, so as aforesaid captured, killed, injured or destroyed.

Penalty.

2. This act shall take effect immediately.

Passed March 29, 1910.

CHAPTER 52.

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.

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

Section 8 amended.

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

Proceedings in case of insane prisoners.

8. If any person confined in said prison under sentence of imprisonment shall appear to be insane, the justice of the Supreme Court presiding in the courts of the county in which the prison is situated, or the judge of the Court of Common Pleas of said county, shall, upon information of the fact from the physician of the prison, institute a careful investigation, call two respectable physicians, and other credible witnesses if necessary, invite the Attorney-General to aid in the examination, and, if said justice or judge shall think it necessary, call a jury, and for that purpose said justice or judge is hereby fully empowered to compel the attendance of witnesses and jurymen; and if it be satisfactorily proved that said prisoner is insane, the said

Investigation.

justice or judge shall so certify, and shall order that said prisoner be removed from said prison and that he be confined in one of the institutions for the care and treatment of the insane owned by the State of New Jersey until said prisoner is restored to his right mind, and then, if his term of imprisonment shall not have expired, the superintendent or other head officer of the institution to which said insane prisoner shall have been removed shall inform the justice of the Supreme Court presiding in the courts of the county in which such prison is situated, or the judge of the Court of Common Pleas of said county and the Attorney-General of this State, of the recovery of such prisoner, whereupon the justice of the Supreme Court presiding in the county where the prison is located, or the judge of the Court of Common Pleas of said county, shall make an order remanding said prisoner to the custody of the keeper of the New Jersey State Prison, there to serve out the unexpired portion of his term of imprisonment. In every such inquiry as aforesaid, the said justice or judge shall ascertain the legal settlement of said prisoner, and if said justice or judge shall determine that said prisoner had a legal settlement in any county of this State, such prisoner shall be maintained in the institution to which he shall have been removed at the expense of the county in which he had a legal settlement; but if such prisoner had no legal settlement in any county of this State he shall be maintained in such institution at the expense of the State, and said justice or judge may direct notice to be given to the solicitor of the board of freeholders of the county in which said prisoner is supposed to have had a legal settlement of the time and place of the aforesaid inquiry. Each physician called to give evidence by such justice or judge concerning the insanity of any prisoner shall receive the sum of ten dollars for his services, to be paid out of the Treasury of this State on warrant of the Comptroller, on bills approved by said justice or judge.

As to reincarceration.

County chargeable with prisoner's maintenance in asylum.

Examining physician's fee.

2. This act shall take effect immediately.

Passed March 29, 1910.

CHAPTER 53.

An Act respecting deposits by infants with banks and trust companies.

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

Infants may deposit and withdraw funds.

1. It shall be lawful for any infant to deposit money with any bank or trust company in this State and to make drafts or withdrawals against such deposits by check or in any other customary mode, and, for the purpose of making such deposits, any such infant may deposit with any such bank or trust company for collection any checks, bills, drafts or other obligations for the payment of money.

2. Any infant thus depositing with a bank or trust company shall be subject, in all transactions connected therewith, as between himself or herself and such bank or trust company, to all the obligations, equities and defenses to which an adult person would be subject in similiar transactions.

3. This act shall take effect immediately.

Approved March 29, 1910.

CHAPTER 54.

An Act for the government of the State Prison, to better the condition of prisoners upon their discharge.

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

Schedule of payments to discharged prisoners.

1. The Board of Inspectors of the New Jersey State Prison shall have power to make a schedule of amounts

that shall be paid prisoners upon their discharge by the keeper of the State Prison, which maximum sum shall not be greater than the sum of twenty-five dollars.

Record of conduct and labor.

2. In order to encourage industrious habits and a proper observation of the rules of the prison it shall be the duty of the keeper of the State Prison to assign to the prison clerk or some other officer thereof the keeping of a correct, impartial daily record of the conduct of each prisoner and of his or her labor, whether satisfactory or otherwise; and it shall be the duty of the keeper to see that the said record is regularly made and preserved under his care, and to lay the same before the inspectors as often as they may require.

Inspectors to determine amount of payment.

3. When the inspectors shall be satisfied that the said record is properly kept, and the keeper shall have certified to the board that any prisoner has conformed to the rules of the prison and properly performed any labor to which they may have been assigned during the term of their imprisonment, they shall direct the keeper to pay them on their discharge a sum not exceeding the sum of twenty-five dollars; *provided,* that any convict who does not conform to the rules and properly perform any work to which they may have been assigned shall receive only the sum of five dollars upon their discharge, the sum now provided by law.

Proviso.

4. This act shall take effect immediately.

Approved March 29, 1910.

CHAPTER 55.

A Supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five.

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

Fix penalty for violating excise ordinances.

1. In all towns formed or established under the act to which this act is a supplement, or governed under

New Jersey State Library

the provisions thereof, the council or other governing body of said town, shall have power by ordinance to fix the penalty for the violation of the provisions of any ordinance to regulate, license or prohibit inns or taverns and the sale or transfer of spirituous, vinous, malt or other strong or intoxicating liquors, as follows: A fine not exceeding one hundred dollars ($100), and in case of non-payment thereof, imprisonment in the county jail for a term not exceeding thirty (30) days; for a second conviction within six months, of a violation of any such ordinance, a fine not exceeding two hundred and fifty dollars ($250) or imprisonment in the county jail for a term not exceeding three months.

Fines.

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 March 29, 1910.

CHAPTER 56.

An Act to amend an act entitled "An act to authorize and empower the Chancellor to fix and determine the salary or compensation to be paid to the several sergeants-at-arms at the several chancery chambers," approved March thirteenth, one thousand nine hundred and three.

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

Salary of sergeants-at-arms in chancery chambers.

1. The Chancellor may by a certificate under his hand, filed with the Comptroller, fix and designate an annual salary or compensation to be paid to each of the sergeants-at-arms connected with the several chancery chambers of this State; *provided, however,* that the same shall not exceed the sum of fifteen hundred dollars and shall be in lieu of the per diem or other allowance now fixed by law.

Proviso.

2. After the filing of such certificate or certificates the Comptroller shall draw his warrant or warrants monthly, and the Treasurer shall pay the said sergeants-at-arms, monthly, the salary or compensation fixed in said certificate. Warrants.

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

Approved March 30, 1910.

CHAPTER 57.

A Further Supplement to 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. 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 now provided by law, 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 Equalization of Taxes, 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

Apportioning amounts in taxing districts.

Reductions on appeal.

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 and 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.

Proviso.

2. 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 the ratables as so corrected shall form the basis for the apportionment of any State, State school or county taxes.

Correction of clerical errors.

3. This act shall take effect immediately.

Approved March 30, 1910.

CHAPTER 58.

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.

Preamble.

WHEREAS, Under Article I, Section 2 of the School Law the State Board of Education has the control and management of the State Normal Schools, in which schools, Article XIX, Section 190, tuition is free; and,

WHEREAS, The appropriations for maintenance asked from the State are to make this tuition free; and,

WHEREAS, The State Board of Education is conducting a Model School under the provisions of Section 195, Article XIX, which Model School is maintained practically by tuition fees fixed by the State Board of Education and collected from the pupils attending the Model School; and,

WHEREAS, The State Board of Education is conducting boarding halls for the accommodation of pupils in attendance upon the Normal and Model Schools at Trenton, which boarding halls are maintained by rates fixed by the State Board of Education, and collected from the pupils boarding at said halls,

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

Moneys from tuition and board at State Schools at Trenton held in trust.

1. The moneys collected by the State Board of Education for tuition fees from the Model School and for board at the boarding halls connected with the State Normal and Model Schools, and paid into the State treasury pursuant to the provisions of an act entitled "An act regulating the receipt and disbursement of State moneys in certain cases," approved October thirty-first, one thousand nine hundred and seven, and the supplements thereto and amendments thereof, shall be held in trust by the State Treasurer, no part thereof to lapse into the general fund of the State at the close of the Sate fiscal year, and shall be paid out by the State Treasurer upon the warrant of the Comptroller for the maintenance of the Normal School boarding halls and the Model School upon bills duly certified and audited by the State Board of Education.

Balance not to lapse.

Purchases by contract or in open market.

2. In the purchase of provisions and supplies for the boarding halls of said schools the State Board of Education is authorized to purchase by contract or otherwise, without first advertising for bids for the same, as it shall deem for the best interests of the schools.

Repealer.

3. 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 30, 1910.

CHAPTER 59.

A Supplement to an act entitled "A general act relating to boroughs" (Revision 1897), approved April twenty-fourth, Anno Domini one thousand eight hundred and ninety-seven.

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

Maintenance of sidewalks.

1. Whenever the cost and expense of constructing, relaying or repairing a sidewalk, curb or gutter on any street or public place within a borough, in front of and along a single property in said borough, shall not exceed the sum of ten dollars, it shall be lawful for the council of said borough to cause such sidewalk, curb or gutter, or all of them, to be constructed, relaid or repaired, by resolution adopted at any regular meeting of the council, provided five days' notice of an intention to apply to said council for the adoption of such resolution shall have been given to the owner or occupant of the property to be affected thereby, by personal service or by leaving the same with a member of the family above the age of fourteen years. Upon the adoption of such resolution, the clerk of the council shall send a copy of the same by mail to the owner or occupant aforesaid, or the same may be served personally. In case the owner or occupant aforesaid shall fail to construct, relay or repair such sidewalk, curb or gutter according to the requirements of any such resolution within six days after a copy of the same shall have been so mailed or served as aforesaid, the council shall cause the said work to be done and improvement made, and the cost thereof, with interest, shall be, by resolution of the council, assessed upon the lot or lots of land in front of which such sidewalk, curb or gutter shall have been so constructed, relaid or repaired as aforesaid; said resolution shall set forth the name of

Notice to pave.

Work done by council if neglected by owner.

the owner, if possible, a description of the lot by street number or otherwise sufficient to identify the same, and the amount assessed thereon, and be entered at length on the minutes; a copy thereof, certified by the borough clerk, shall thereupon be delivered to the collector of taxes for said borough, who shall at once enter the same in a book provided for that purpose; such assessments shall become and remain a lien on said lot or lots, and shall be enforced in the manner provided for other assessments for public improvements in the act to which this is a supplement. No such assessment shall be invalidated by reason of any error appearing in the name of the owner of the lot or lots upon which such assessment shall be made.

Payment, how provided for.

Assessment a lien.

2. This act shall take effect immediately.

Approved March 30, 1910.

CHAPTER 60.

An Act to incorporate the borough of Waldwick, in the county of Bergen.

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

1. The inhabitants of the township of Orvil, in the county of Bergen, are hereby constituted and declared to be a body politic and corporate in fact and in law by the name of the "Borough of Waldwick," and shall be governed by the general laws of the State relating to boroughs.

Corporate name.

2. The boundaries of said borough shall be the same as the present boundaries of the township of Orvil, in said county.

Boundaries.

3. This act shall take effect immediately, but shall remain inoperative until the same shall have been submitted to the legal voters within the above described territory at a special election to be called for that pur-

Referendum.

pose, and until the same shall be approved of by a majority of the said voters voting at the said special election upon the question of the adoption or rejection of this act.

Special election.

At such special election the only question submitted shall be "For the adoption of the act to incorporate the borough of Waldwick, in the county of Bergen," or "Against the adoption of the act to incorporate the borough of Waldwick, in the county of Bergen."

Notice.

One week's notice of such special election shall be given by the clerk of the township of Orvil, by publication in a newspaper circulating in the said township of Orvil, and by advertisement posted in five conspicuous places within the territory above described.

Ballots and election officers.

Said election shall be by ballot and shall be held by the same election officers of the township as held the last election for members of the General Assembly in the election districts lying wholly or partly within the above described territory, upon a day and at the places to be appointed by the county board of elections of Bergen county.

Election, how conducted.

The polls shall be open for the time provided by law for general elections in such township, and such election shall be in all respects conducted and the votes canvassed in the manner provided by law for such general elections. There shall be no registration for such election, but the board of elections shall procure and use at such special election a certified copy of the register of voters used at the last preceding election, and no person shall be entitled to vote whose name does not appear on the said register and who shall not reside within the territory above described.

Operative upon adoption.

If a majority of the ballots cast at such election shall contain the words "For the adoption of the act to incorporate the borough of Waldwick, in the county of Bergen, then this act shall be deemed to be operative and the said borough of Waldwick incorporated.

Approved March 30, 1910.

CHAPTER 61.

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:*

Attendance at Farnum School.

1. Any child who shall have completed the course of study pursued in the schools in the district in which he or she shall reside may, with the consent of the board of education of said district and the board having the control and management of the Farnum Preparatory School, be admitted to said school. Said boards shall determine the amount to be paid for the education of such child, and the board of education of the district in which such child shall reside shall issue an order for said amount, signed by the president and district clerk or secretary of the board of education, in favor of the custodian of the school moneys of said school, which order shall be paid by the custodian of the school moneys of the district in which such child resides out of any moneys in his hands available for the current expenses of said district.

Amount to be paid by school district.

2. This act shall take effect immediately.

Approved March 30, 1910.

CHAPTER 62.

An Act to provide for the assessment and collection of taxes in third class cities of this State.

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

Board of assessors; term.

1. In all third class cities of this State there shall be a board of tax assessors therein, to consist of three persons, who shall be elected by the common council or other governing body; their term of office shall be three years; *provided,* that of the members first chosen one thereof shall hold office until the end of the calendar year in which he shall be chosen, another thereof shall hold office until the expiration of the calendar year next after that in which he shall have been elected; and the third shall hold office until the expiration of the second calendar year ensuing that in which he shall have been chosen; and then successors shall be elected and shall hold office for the full term of three years; but such officers, including those first elected, shall continue in office until their successors are chosen and qualified. Any such officer may be removed from office in the manner now or hereafter to be provided by law; and in case of the death, resignation or removal of any such officer, his successor shall be chosen for the unexpired term only.

Proviso.

Removal and vacancies.

Salary and bond.

2. Said assessors shall each receive such salary as from time to time shall be fixed by the governing body of said city, and each shall give bond for the faithful performance of his duties in such sum, in such form and with such sureties as the governing body shall approve.

Powers and duties.

3. Said board of assessors shall have all the powers and perform all the duties devolving by law upon the assessors of taxes or boards for the assessment of taxes of such city at the time of the passage of this act; and

the offices of such assessors and such boards existing in such cities shall be abolished upon the election and qualifying in office of a board of assessors by this act established.

Majority to determine.

4. Any assessment or report made by a majority of said board shall be deemed the assessment or report of said board of assessors, and in case of the death or disability, or absence from any cause of any one member, the other two may lawfully exercise the powers of the board, but in all cases before any assessment is finally fixed and determined it shall be approved by at least two of the members. All reports or returns of tax assessments required to be made to any other board of the city, county or State shall be made by said board of assessors or a majority thereof.

Receiver of taxes.

5. Hereafter there shall be but one collector or receiver of taxes, to be called the receiver of taxes, who shall be chosen by the common council or other governing body. The term of office of such tax receiver shall be three years, provided that the term of office of the officer first chosen under the provisions of this act shall expire on the first day of January next following his election, when his successor shall be chosen for a full term of three years; all such tax receivers shall hold office until their successors are chosen and qualified.

Term.

They shall give bond in such form, for such sum and with such sureties as the governing body may approve; they shall receive an annual salary in lieu of all fees, to be fixed by the governing body; they shall have all the powers and perform all the duties now devolving by law on the tax collector, deputy collectors of taxes or delinquent tax collectors of such city, and any such receiver of taxes may appoint such deputies as he may deem advisable, who shall have all the power of the receiver of taxes, but who shall receive only such compensation as council may approve.

Bond.

Deputies.

It shall be the duty of all tax collectors, deputy collectors of taxes or delinquent tax collectors or other tax collecting officers of such city to deliver to the receiver of taxes appointed hereunder all moneys, books, tax records, tax duplicates and all other property of such city in their hands, immedi-

Records, moneys, etc., turned over.

ately upon the qualification in office of such receiver of taxes appointed under this act and demand made, and any such officer willfully refusing to comply with the provisions of this act shall be guilty of a misdemeanor; the office of all such other tax collecting officers, by whatsoever name known, in said city shall be terminated and abolished immediately upon the qualification in office of a receiver of taxes under this act.

Present tax collectors abolished.

6. The governing body of any such city may fix the annual salaries of the assessors or tax receiver by ordinance or resolution, and all such salaries shall be stated and fixed, and not contingent in anywise, and such salaries shall be payable monthly. All fees and allowances to such assessors and collectors for any service shall be paid into the city treasury for the use of the city. The salary of any such officer shall not be diminished during his term of office.

Salaries.

Fees paid into city treasury.

7. This act shall take effect immediately.

Approved March 30, 1910.

CHAPTER 63.

A Supplement to an act entitled "An act regulating the receipt and disbursement 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. Any board or institution of the State, receiving from the State for its maintenance an annual appropriation of State funds, may, for the purpose of paying such current expenses of maintenance requiring a prompt cash outlay, establish a Petty Cash expense fund.

Petty cash fund.

2. The State Treasurer, upon the warrant of the State Comptroller, may, for the purpose aforesaid, pay to the treasurer of such board or institution, from the

Amount available.

annual appropriation of State funds for its maintenance, an amount necessary therefor not exceeding fifteen hundred dollars in any fiscal year, upon the application in writing by the management of such board or institution.

Monthly accounting of disbursements from fund.

3. The treasurer of such board or institution shall include in the monthly schedule of expenses as provided by section five (5) of the act to which this is a supplement, a detailed monthly account of the disbursement of said fund, accompanied by appropriate vouchers therefor approved by the management of such board or institution, and shall devote the sum thereof when received from the State Treasurer to reimburse said fund.

Whole amount returned.

4. On the twentieth (20th) day of October of each year the treasurer of such board or institution shall pay to the State Treasurer the full amount received by him from the State during the current fiscal year for the creation or establishment of said fund.

Allowance determined.

5. Any questions arising in respect hereof with reference to the amount to be allowed each institution, the expenditure thereof and the accounting therefor, shall be finally determined by the ruling of the State Comptroller.

Repealer.

6. All acts or parts thereof inconsistent herewith are hereby repealed.

7. This act shall take effect immediately.

Approved March 30, 1910.

CHAPTER 64.

An Act validating proceedings for the issuance of bonds in cities of this State containing a population of less than twelve thousand inhabitants, for the purpose of paying and cancelling such indebtedness as may be incurred by said cities in the construction of a general system of sanitary sewerage.

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

Bond issue validated.

1. All proceedings heretofore had in any city of this State having a population of less than twelve thousand (12,000) inhabitants to authorize the issuance of bonds for the purpose of paying and cancelling such indebtedness as may be incurred by the said city in the construction of a general system of sanitary sewerage are hereby ratified, validated, approved and confirmed, notwithstanding any omissions or defects on the part of the said city in the proceedings taken to authorize the issuance of bonds as aforesaid, prior to the submission of said proposition to the legal voters of said city; *provided, however,* that a majority of the legal voters voting upon said proposition voted in favor of the same.

Proviso.

2. This act shall take effect immediately.

Approved March 30, 1910.

CHAPTER 65.

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:*

Section 8 amended.

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

Season for ducks, swans, etc.

8. It shall be unlawful to capture, kill, injure, destroy or have in possession, any black duck or any Mallard duck, excepting only between the first day of November and the first day of March following, both dates inclusive in each year, or to capture, kill, injure, destroy, or have in possession, any duck or swan, other than black duck, Mallard or wood duck, excepting only between the first day of November and the fifteenth day of March following, both dates inclusive in each year, or to capture, kill, injure, destroy, or have in possession any goose, brant or shell drake, excepting only between the first day of November and the tenth day of April following, in each year both dates inclusive. Any person violating any of the provisions of this act shall be liable to a penalty of twenty dollars for each duck, swan, goose, brant or shell drake captured, killed, injured, destroyed or had in possession in violation of this act. The having in possession of any such duck, swan, goose, brant or shell drake whatsoever during the period prohibited in this section shall in every court and place be deemed prima facie evidence that the same is unlawfully in possession.

Penalty.

Possession evidence of unlawful holding.

As to black ducks.

2. It shall be unlawful to capture, kill, injure or destroy, or have in possession any duck, swan, goose, brant or shell drake, excepting black duck, except only between one hour before sunrise and until sunset; or to capture, kill, injure or destroy any black duck except only between one hour before sunrise and until seven P. M.; or to shoot at, wound or kill any black duck while using customary flyways across the beach bor-

Penalty.

dering on the Atlantic ocean, under a penalty of twenty dollars for each duck, swan, goose, brant or shell drake so captured, killed, injured or destroyed or had in possession.

Use of decoys.

3. It shall be unlawful for any person hunting or gunning for geese, brant or shell drake after the fifteenth day of March, in each year, and until the close of the season on April tenth, in each year, to put or carry on his boat any decoy other than that of decoys of brant,

Penalty.

geese or shell drake, under a penalty of twenty dollars for each offense.

Wood ducks.

4. It shall be unlawful to capture, kill, injure or destroy or have in possession any wood duck for five years from and after the passage of this act, under a penalty

Penalty.

of twenty dollars for each wood duck captured, killed, injured or destroyed or had in possession.

Repealer.

5. 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.

Exception.

6. This act shall in nowise apply to the Delaware river and bay.

Passed March 31, 1910.

CHAPTER 66.

An Act regulating the location, construction and establishment of hospitals, sanatoria, preventoria or other institutions designed for the care, board or treatment of any person or persons afflicted with the disease known as pulmonary tuberculosis.

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

Consent of State Board of Health to establish preventorium.

1. Hereafter no person or persons, corporation or association shall locate, construct or establish in any city, town, borough, township or other municipality of this State any hospital, sanatorium, preventorium or other institution to be used for the care, board or treatment of any person or persons afflicted with the disease known as pulmonary tuberculosis, without first obtaining the consent and approval of the State Board of Health so to do.

Application.

2. All applications under this act shall be made to the State Board of Health in writing, signed by the applicant, shall give the name of the city, town, borough, township or other municipality in which it is proposed to locate the same, and shall be accompanied with a descriptive map of the premises proposed to be devoted to the uses authorized by this act.

Notice of hearing.

3. The State Board of Health shall fix a time and place for the hearing on such application, of which hearing the applicant shall give at least two weeks' notice in some newspaper published and circulating in the municipality named in the application, and if none be published therein, then by posting in such municipality at least ten notices for fifteen days before such hearing, giving notice of such application.

Hearing.

4. At the time and place so fixed for said hearing the State Board of Health shall hear all parties, both for and against said application, and said board shall there-

upon either grant or withhold the consent and approval asked for.

State Board of Health to have sole authority.

5. After the passage of this act the State Board of Health shall have the sole authority to grant or refuse the consent and approval to the erection, construction and establishing of any and all hospitals, sanatoria, preventoria or other institutions designed for the care, board or treatment of any person or persons afflicted with the disease known as pulmonary tuberculosis.

Consent of local boards not necessary.

6. After the passage of this act no consent shall be required from any officer or board of the State of New Jersey or any of the municipalities thereof, except the State Board of Health as aforesaid, to the erection, construction or establishment of any of the institutions aforesaid, or to the bringing of persons to such institutions from points within or without the State.

Part time institutions not affected.

7. This act shall not be construed to require any of the institutions aforesaid which may have been used prior to the passage of this act during the summer only to obtain any consent or approval for reopening said institutions from year to year as heretofore.

Repealer.

8. This act shall take effect immediately. All acts or parts of acts inconsistent with this act are hereby repealed.

Approved March 31, 1910.

CHAPTER 67.

An Act to amend an act entitled "A further supplement to 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, and which further supplement was approved April twenty-first, one thousand eight hundred and ninety-eight.

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

1. Section one of the supplement referred to in the title of this act is hereby amended to read as follows:

Section 1 amended.

1. When the State Board of Health, or any officer thereof duly authorized in writing by such board to act for or on its behalf, shall have reason to believe that any milk, cream, skimmed milk or other dairy products (has) have been contaminated by the emanations, exhalations or discharges of any person sick with communicable disease, it shall be lawful for the said State Board of Health, or the officer authorized to act in the premises as aforesaid, to issue an order in writing, prohibiting the transportation or sale of any milk, cream, skimmed milk or other dairy products, suspected to be contaminated as aforesaid, and also prohibiting the transportation or sale of any milk, cream, skimmed milk or other dairy products, which may be produced, stored, kept or found upon any premises infected by such disease; every person upon whom any such order may be served shall be bound by such prohibition, and the prohibition shall continue until the State Board of Health, or the officer authorized to act in the premises aforesaid, shall have had opportunity to examine into the matter of suspected contamination and shall have removed the

Prohibition of sale or carrying contaminated milk.

Penalty.

prohibition by another order in writing, signed by any officer of the State Board of Health, or by the officer authorized to act in the premises as aforesaid; any person or persons who shall knowingly transport or sell any milk, cream, skimmed milk or other dairy products, the sale and transportation of which (has) have been prohibited as aforesaid, shall be liable to a penalty of one hundred dollars, to be recovered by the State Board of Health in an action upon contract in any court of record within this State, the money so recovered to be applied by the State Board of Health to any purpose for which it may be legally authorized to expend money.

How recoverable.

2. This act shall take effect immediately.

Approved March 31, 1910.

CHAPTER 68.

An Act to amend an act entitled "An act to amend an act entitled 'An act in relation to days of recreation and holidays, and fixing the days and parts of days so to be set apart and observed, and regulating the maturity of commercial paper with respect thereto,'" approved March ninth, one thousand eight hundred and ninety-one, which amendment was approved April fifteenth, one thousand eight hundred and ninety-five.

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

Section amended.

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

Legal holidays.

1. The following days and half days, namely, the first day of January, commonly called New Year's Day; the twelfth day of February, called Lincoln's Birthday; the twenty-second day of February, known as Washington's

Birthday; the day now designated and known as Good Friday; the thirtieth day of May, known as Decoration Day; the fourth day of July, called Independence Day; the first Monday of September, known as Labor Day; the twelfth day of October, known as Columbus Day; the twenty-fifth day of December, known as Christmas Day; any general election day in this State; every Saturday from twelve o'clock at noon until twelve o'clock at midnight, which is hereby designated a half holiday, and any day appointed or recommended by the Governor of this State, or the President of the United States, as a day of thanksgiving or fasting and prayer, or other religious observance, shall, for all purposes whatsoever as regards the presenting for payment or acceptance, and of the protesting and giving notice of the dishonor of bills of exchange, bank checks and promissory notes, maturing after the passage of this act, be treated and considered as the first day of the week, commonly called Sunday, and as public holidays or half holidays; and all such bills, checks and notes otherwise presentable for acceptance or payment on any of said days shall be deemed to be payable and be presentable for acceptance or payment on the secular or business day next succeeding such holiday or half holiday; *provided, however,* that instruments payable on demand may, at the option of the holder, be presented for payment before twelve o'clock noon on Saturday when that entire day is not a holiday; *and provided further,* that in construing this section every Saturday, unless a whole holiday, as aforesaid, shall, until twelve o'clock noon, be deemed a secular or business day, except as is hereinbefore provided in regard to bills of exchange, bank checks and promissory notes, and the days and half days aforesaid shall be considered as the first day of the week, commonly called Sunday, and as public holidays or half holidays, for all purposes whatsoever as regards the transaction of business in the public offices of this State, or counties of this State; on all other days or half days, excepting Sundays, such offices shall be kept open for the transaction of business.

Commercial paper payable following day.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved March 31, 1910.

CHAPTER 69.

An Act authorizing cities, towns, townships or other municipalities in counties of the first class to pay the cost or expenses incurred by the clerks in advertising any general, special or charter election held in this State during the year one thousand nine hundred and nine.

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

Payment of notices of election.

1. All costs and expenses incurred by the municipal clerks of any cities, towns, townships or other municipalities in advertising in newspapers notices of general, special or charter elections held in such cities, towns, townships or other municipalities during the year one thousand nine hundred and nine shall be paid by such cities, towns, townships or other municipalities whose clerk authorized such advertising.

Funds provided.

2. The board or body having charge of the finances in such cities, towns, townships or other municipalities, shall set aside sufficient moneys to pay for this advertising from any moneys not otherwise appropriated, or if there be not sufficient moneys from such source, then such board or body shall issue temporary loan bonds to pay the same and shall place in the next annual tax levy an amount sufficient to cover the moneys hereby appropriated.

Repealer.

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

Approved March 31, 1910.

CHAPTER 70.

An Act to repeal section ten of an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the State of New Jersey," approved March twenty-sixth, one thousand nine hundred and two, and section one of an act entitled "An act to amend an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the State of New Jersey,' approved March twenty-sixth, one thousand nine hundred and two," approved April fourteenth, one thousand nine hundred and three.

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

The following acts and parts of acts are hereby repealed:

1. Section ten of an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the State of New Jersey," approved March twenty-sixth, one thousand nine hundred and two. Section 10 repealed.

2. Section one of an act entitled "An act to amend an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the State of New Jersey,' approved March twenty-sixth, one thousand nine hundred and two," approved April fourteenth, one thousand nine hundred and three. Section 1 repealed.

3. This act shall take effect immediately.

Approved April 1, 1910.

CHAPTER 71.

An Act to amend an act entitled "An act amending 'An act relating to courts having crminal jurisdiction and regulating proceedings in criminal cases' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," which amendatory act was approved April eleventh, one thousand nine hundred and eight.

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

Section 158 amended.

1. Section one hundred and fifty-eight of the act of which this is an amendment is hereby amended to read as follows:

County detectives.

158. The prosecutors of the pleas in the several counties which now have or hereafter may have a population of more than eighty thousand and not more than two hundred thousand inhabitants may appoint suitable persons, not exceeding three in any county, to act as special officers for the detection, arrest, indictment and conviction of offenders against the law. Such persons so appointed shall possess all the powers and rights and be subject to all the obligations of constables and police officers in any county of this State, and before such person shall enter upon his duties as said officer his appointment shall be approved by the judge of the Court of Quarter Sessions of said county, and each person so

Salary.

appointed shall receive an annual salary of not more than fifteen hundred dollars, which sum shall be fixed by the judge and prosecutor, to be paid by the county collector, in equal monthly installments, out of the funds of the county.

2. This act shall take effect immediately.

Approved April 1, 1910.

CHAPTER 72.

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.

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

Official name.

1. There is hereby established in this State a reformatory prison for women, the name of which shall be "The New Jersey State Reformatory for Women," for which a site shall be selected, land acquired and buildings erected, and which shall be governed as hereinafter set forth.

Commission.

2. The reformatory shall be governed by a board of six commissioners, each of whom shall be a resident of this State, and not less than three of whom shall be women. They shall be appointed in the following manner and for the following terms: Within thirty days after this act shall take effect the Governor shall appoint, with the advice and consent of the Senate, two members who shall hold office for one year, two members who shall hold office for two years, two members who shall hold office for three years, from the first day of October in the year one thousand nine hundred and ten, and thereafter he shall annually appoint, with the advice and consent of the Senate, two members who shall respectively hold office for three years from the date of the expiration of the terms of their predecessors in office; the Governor alone shall also have the power to fill vacancies in the board of commissioners, but for the unexpired term only.

Terms.

Vacancies.

Official board.

3. The board of commissioners shall be known as "The Board of Commissioners of the New Jersey State Reformatory for Women," and shall annually organize on, or as soon as practicable after, the first day of

April, by electing from their own number a president, a vice-president and secretary.

State House Commission to erect and equip building.

4. The site of the reformatory shall be upon such land as may hereafter be designated or provided for that purpose by law. The State House Commission shall, upon such site being designated or provided therefor by law, erect and furnish the reformatory by contract, to be awarded to the lowest bidder therefor, after advertisement in accordance with the laws governing the expenditure of public moneys. The said building or buildings shall be constructed upon such plans and specifications as the board of commissioners hereby created may recommend and as the State House Commission may determine and approve, saving always that the cost thereof, both of construction and furnishing, shall not exceed the sum which may be appropriated by law for that purpose, and when the said building or buildings are completed and furnished, the State House Commission shall turn over the custody thereof to the commission provided for by this act, for the subsequent management thereof, as in and by this act provided.

Plans.

Upon completion turned over to reformatory commission.

Powers, duties, etc., of commissioners.

5. The board of commissioners shall be a corporation with power to sue in any court of this State upon any contract to which it is by law authorized to be a party; to manage and control the property and concern of the said reformatory; to establish a system of government for the said reformatory, and make all needful rules and regulations for the management thereof, and for the care, support, discipline, detention and discharge of the prisoners; to adopt and use any method of education and employment which in their judgment will best promote the interest of the prisoners and secure their reformation; to take and hold in trust for the State any grant, devise, bequest or donation of land, money or other property for the use of the said reformatory; to appoint a superintendent, who shall hold office during the pleasure of the board of commissioners, at an annual salary of not more than two thousand dollars; to fix and determine the number of subordinate officers and employes other than those hereinafter provided; to determine the duties and salaries of all employes of the said reformatory, and the amount and sufficiency of their

Superintendent. Salary.

Assistants; salary.

bonds, if any shall be required, but no salary greater than fifteen hundred dollars shall be paid to any officer or employe other than the superintendent, unless authorized by legislative enactment.

Officers.

6. The officers of the said reformatory shall be a superintendent, deputy superintendent, chaplain, physician, clerk and such number of matrons and assistant matrons and other subordinate officers and employes as the board of commissioners shall determine. All such officers shall be women. All officers and employes, except the superintendent, shall be appointed, and be subject to removal by the superintendent, with the approval of the commissioners. The commissioners and the superintendent shall be subject to removal by the Governor for cause, shown upon charges filed and after hearing.

Governor's power of removal.

Records.

7. It shall be the duty of the board of commissioners to keep a full record of all their proceedings, which shall be open at all times to the inspection of the Governor, and to all persons whom the Governor or either house of the Legislature may appoint to examine the same, and to such persons only; to maintain an efficient inspection of the reformatory; to make to the Governor, on or before the first day of December in each year, a report of the finances and of the work done in the reformatory during the last preceding fiscal year, with such recommendations as the board may deem necessary or proper for the accomplishment of the work for which the reformatory is established, which report shall, by the Governor, be presented to the Legislature; and to hold meetings not less frequently than once in each month at the reformatory, and such other meetings from time to time as the interests of the reformatory may demand.

Annual report.

Stated meetings.

Official designation.

8. The president, vice-president, treasurer and secretary of the board of commissioners shall be known as the officers of that board, and the superintendent, deputy superintendent, chaplain, physician, clerk, matrons, assistant matrons, and such other subordinate officers and employes as may be provided for by the said board, shall be known as officers of the reformatory. The officers of the board of commissioners shall severally hold their re-

spective offices from the date of their election and qualification until their successors shall be duly elected and qualify.

Bond of superintendent.

9. The superintendent shall, before entering upon the performance of her official duties, give bond to the State in the sum of ten thousand dollars, with sureties, who shall be approved by the board of commissioners, for the faithful performance of her duties, which bond shall be filed in the office of the Secretary of State.

Duties of superintendent set out.

10. The superintendent shall reside at all times within the precincts or dependencies of the reformatory; shall have the custody and control of all prisoners committed thereto, and shall govern and employ them according to law and the rules and regulations of the reformatory; she shall, under the direction of the commissioners, have the management and direction of the reformatory, its servants and employes, and all its officers, except as otherwise herein provided; she shall contract for and purchase all clothing, provisions, supplies, and other articles necessary for carrying on and managing the prison, and for the proper support, comfort and maintenance of the prisoners, unless otherwise provided by law, subject to the restrictions herein contained and such rules and regulations as may be adopted by the board of commissioners. All bills for such purchases shall be approved by at least two of the board of commissioners and paid by the Treasurer of the State upon the warrant of the Comptroller. The superintendent shall sell or otherwise dispose of all articles manufactured or prepared by the prisoners. She shall make monthly statements to the board of commissioners of the amounts so received by her, which she shall pay over monthly to the State Treasurer. She shall cause to be kept a full and regular account of all articles by her purchased and supplied to the reformatory, and of all articles manufactured or prepared therein and disposed of and sold, and the sums received for it, and the persons to whom the same were sold. She shall have the custody and control of all property connected with or belonging to the prison, and shall cause regular and complete books of account of all the property, expenses, incomes and

Approval of bills.

Monthly statements.

Accounts.

business of the prison to be kept by clerks employed by authority of the commissioners.

Payment of salaries.

11. The salaries of the superintendent, officers and other employes shall be paid by the State Treasurer upon the warrant of the Comptroller to the superintendent, to be by her disbursed, the same having first been certified by at least two of the commissioners and the superintendent.

Commitments.

12. The board of commissioners shall notify the several county clerks when the reformatory is ready for the reception and safe custody of prisoners, and thereafter the courts of this State having criminal jurisdiction may sentence to the reformatory any female above the age of seventeen convicted of any crime which is punishable by imprisonment in the State Prison or penitentiaries. The keeper of the State Prison, when requested by the board of commissioners and approved by the Governor, shall transfer all of the female inmates of the State Prison above the age of seventeen who shall be in confinement therein, to the reformatory. He shall furnish to the superintendent of the reformatory a certified copy of the official documents and papers under the authority of which the prisoners so transferred were received and detained by him. Such certified documents and papers shall be full and sufficient authority for the superintendent to detain the prisoners named therein until discharged as herein provided. For the confinement of prisoners so transferred the said reformatory shall be taken and considered a State Prison. The sheriffs of the several counties shall convey all prisoners sentenced to the said reformatory within the time and in the manner and be allowed for transportation and mileage now provided for the transportation of prisoners sentenced to the State Prison. The county clerks of the several counties shall deliver to the sheriffs certified copies of commitments and bills of costs (including therein only charges for services actually rendered) for all prisoners sentenced to the said reformatory within the manner and within the time now prescribed in cases of conviction and sentence to the State Prison.

Transfer of women from State Prison.

Duty of sheriffs and clerks.

As to insane prisoners.

13. If any prisoner shall appear to be insane, the presiding judge of the Court of Oyer and Terminer, or the judge of the Court of Quarter Sessions of the county in which the reformatory is situated, shall, upon information of the fact given by the county physician, or any other physician whose official duty it shall be to visit the reformatory, or from his own knowledge or other satisfactory information, direct careful inquiry to be made into the case by at least two reputable physicians. He may request the Attorney-General to aid in the inquiry, at his discretion, and, if necessary, may call a jury and compel the attendance of the jurors and witnesses before such physicians to aid in the inquiry. The judge may investigate and hear evidence on his own motion. If it satisfactorily appear to such physicians, upon the verdict of the jury, when a jury shall be called, or in any other case without the aid of such jury, that the inmate is insane, and such physicians shall certify in writing such fact to the judge, he may, if the report or certificate satisfy him, order such insane prisoner to be removed to the county insane asylum, if such there be, or to the State Hospital for the Insane, or to the House of Detention for the Insane, if such shall exist, where the prisoner shall remain at the expense of the State until restored to her right mind. If the term of imprisonment of such insane prisoner shall have not then expired, the superintendent of asylum or hospital shall inform said judge. whereupon the prisoner shall be remanded to the reformatory to serve out the unexpired portion of her term of imprisonment, unless sooner discharged in accordance with law. The judge shall certify to the Comptroller such fees and sum or sums of money as he may think should be paid to the persons entitled thereto for the duties and services imposed by this section, and they shall be paid by the Treasurer, upon the warrant of the Comptroller, out of any funds appropriated for that purpose.

Inquiry.

Removal to insane institution.

Expenses.

Indeterminate sentences.

14. The several courts, in sentencing to the said reformatory, shall not fix or limit the duration of the 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, and the term of such service may be terminated by the board of commissioners of the said reformatory as herein provided.

Rules for discharge or parole.

15. The commissioners may establish rules and regulations under which prisoners may be discharged or released on parole. When released on parole, prisoners shall be in legal custody of the commissioners, subject at any time to be re-committed to the reformatory. Full power to re-take and re-commit any prisoner so released upon parole is hereby conferred upon the commissioners, and their order, certified by their secretary and signed by their president, with the seal of the reformatory attached thereto, which said commissioners are hereby authorized to adopt, shall be a sufficient warrant for the officer to whom the same may be directed to re-take and return to actual custody any prisoner so released on parole. A prisoner who has broken the condition of her parole may be declared by the commissioners to be a delinquent, and after an order by them to that effect, entered in their minutes, may be treated as an escaped prisoner owing service to the State and liable, when arrested, to serve out the unexpired term of her maximum possible imprisonment. The time from the date of her declared delinquency to the date of her arrest shall not be counted as any part of the time served. The sentence to the reformatory of any prisoner while on parole, upon conviction of a fresh crime, shall commence from the termination of her liability upon the first or former sentence.

Re-committal for violation of parole.

As to discharge of prisoners.

16. When the superintendent shall be satisfied that a prisoner released on parole has, by her conduct, given evidence that she is to be deemed reliable and trustworthy and will remain at liberty without violating the law, and that her final release will not be incompatible with the welfare of society, she shall so certify to the commissioners, who shall consider the case of the prisoner so presented at a meeting, a notice of the time and place and purpose thereof having first been given to all of the commissioners. If the commissioners then

or afterwards decide so to do, they shall order said prisoner to be finally discharged, and cause a record of the case to be made, showing the date of the commitment of the prisoner, her record while detained in the reformatory, the date of her parole and her conduct while released, and their reason for granting the final discharge.

Apparel supplied on release.

17. The superintendent may give to each prisoner, upon her release, a new set of wearing apparel and a sum not exceeding ten dollars, and she shall return to her any sum of money which may have belonged to the prisoner at the time of her commitment.

Prison laws applicable.

18. The laws governing the prison of this State in relation to the prevention of escapes, the suppression of riots, revolts, mutinies or insurrections and the punishment of crimes therein are hereby made applicable to the said reformatory.

Cemetery.

19. The board of commissioners may, on behalf of the State, set apart not more than an acre of land on the reformatory grounds, which may be used for the burial of prisoners who die in the reformatory.

As to children.

20. If any female committed to such institution at the time of such commitment is the mother of a nursing child in her care under one year 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 must then be removed therefrom. The board of commissioners of such institution may cause such child to be placed in any asylum for children in this State and pay for the care and maintenance of such child therein at a rate not to exceed two and one-half dollars a week until the mother of such child shall have been discharged from such institution, or may commit, such child to the care and custody of some relative or proper person willing to assume such care. If such female at the time of such commitment shall be the mother of and have under her exclusive care a child more than one year of age, which might otherwise be left without proper care or guardianship, the court committing such female shall cause such child to be committed to such asylum as may

Cared for in public or private homes.

Expenses.

be provided by law for such purposes, or to the care and custody of some relative or proper person willing to assume such care.

21. This act shall take effect immediately.

Approved April 1, 1910.

CHAPTER 73.

A Supplement to "An act relative to sales of land under a public statute, or by virtue of any judicial proceedings (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:*

Names of all persons interested contained in writs, decrees, etc.

1. Every writ of execution, order or decree of any court directing the sale of land and real estate shall contain the names of every person decreed to own any interest in said lands and real estate which shall be directed to be sold by virtue of said execution, order or decree, and shall also contain the names of any deceased persons under whom any of the parties aforesaid shall be possessed by right of inheritance or descent when said order or decree shall be made by the Prerogative Court or any Orphans' Court, or suits in partition in any of the courts of this State.

Certificate to be attached to conveyance.

2. When any sale of any lands or real estate shall be made in pursuance of a decree, judgment, execution or order of any court, by any sheriff, coroner, master in chancery, executor, administrator, guardian, commissioners, auditors, or other officers or person, there shall be endorsed on or added to the conveyance therefor, before the Chancellor, one of the justices of the Supreme Court, or a master in Chancery (for which said Chancellor, justice or master shall be entitled to a fee of one dollar) a certificate to the effect following, viz.:

Wording of certificate.

I, ..., do certify that I have examined the above deed and also the decree, execution or order, or a

certified copy thereof, by virtue of which said sale was made, and that said deed contains a recital setting forth the names of all the complainants or plaintiffs and defendants named in said decree, execution or order, and also the name of any deceased persons under whom any of the parties aforesaid are possessed by right of inheritance or descent as set forth in said order or decree.

Certificate included.

3. The certificate required by the statute in section thirteen of the act to which this is a supplement shall include the above certificate set forth in section two of this act and no additional certificate shall be required.

County clerks and registers to see that certificate is attached.

4. All clerks of the Courts of Common Pleas and registers of deeds in the several counties of this State shall, before recording a deed made by any of the officers as aforesaid, be required to see that a certificate as aforesaid, signed by the Chancellor, one of the justices of the Supreme Court, or a master in chancery, is endorsed on or added to said deed.

Approved April 1, 1910.

CHAPTER 74.

An Act for the preservation of the original Civil War records now in the custody of the Adjutant-General of this State.

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

Preservation of Civil War records.

1. The Adjutant-General of this State be and he is hereby authorized to take such measures to preserve the original Civil War records now on file in his office, as he shall, with the approval of the Governor, deem adequate.

Appropriation.

2. In order to defray the expenses incident to the preservation of said records, the sum of two thousand five hundred dollars is hereby appropriated out of the treasury of this State.

3. This act shall take effect immediately.

Approvel April 1, 1910.

CHAPTER 75.

An Act to repeal an act entitled "An act relating to the extension and improvement of the State House grounds," approved March nineteenth, one thousand nine hundred and three.

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

1. An act entitled "An act relating to the extension and improvement of the State House grounds," approved March nineteenth, one thousand nine hundred and three, is hereby repealed. Act repealed.

2. This act shall take effect immediately.

Approved April 1, 1910.

CHAPTER 76.

An Act to authorize the erection of a tablet or monument on the battleground of Chestnut Neck, in the State of New Jersey, and to appropriate money to pay the cost of the erection and dedication of the same.

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

1. The sum of five thousand dollars is hereby appropriated, when included in the annual or supplemental appropriation bill, for the purpose of erecting and dedicating a tablet or monument on the battleground of Chestnut Neck, in the county of Atlantic, in the State of New Jersey, to commemorate the battle in the War of the Revolution. Said sum shall cover all expenses incident to the erection and dedication of said tablet or monument. Appropriation for monument at Chestnut Neck.

Commission to have matter in charge.

2. The Governor of the State shall, upon the making of such appropriation, appoint a commission, to consist of three persons, citizens of this State, to select a design, to contract for, erect and finish a suitable monument or statue on a site to be selected by said commission, and also to grade the grounds immediately surrounding said monument on the said battlefield of Chestnut Neck; said commissioners shall receive no compensation for their services, and the Governor shall fill all vacancies that may occur by death, resignation or otherwise.

Payment of expenses.

3. The Comptroller of the State shall draw his warrant in payment of all bills approved by said commission and the Treasurer of the State shall pay all warrants so drawn to the extent of the amount appropriated by the Legislature.

Future care of monument.

4. When the tablet or monument shall have been completed and dedicated, the care and supervision of said tablet or monument shall devolve upon and be vested in the General Lafayette Chapter of the Daughters of the American Revolution and their successors.

5. This act shall be deemed a public act, and shall take effect immediately.

Approved April 1, 1910.

CHAPTER 77.

An Act to regulate and increase the powers of police courts, recorders' courts and similar municipal courts known by any other name in cities of the second class having a population of over fifty thousand, and regulating the appointment of judges or recorders to preside over the same.

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

Jurisdiction of recorders, police magistrates, etc.

1. Hereafter, in all cities of the second class 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, 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.

Proviso.

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.

Penalty imposed.

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.

Procedure in case indictment waived.

4. Any person violating any ordinance or regulation of any municipality may be arrested by any police officer,

Action for violation of ordinances.

or by any employe 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.

Proceedings to obtain satisfaction of fines, etc.

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.

Substitute magistrate.

6. 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 such city, to act in his place and stead during such absence, sickness or disability.

Court clerk.

7. The magistrate in any such court as aforesaid 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

Duties.

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 hold office during the term of such magistrate, and said clerk 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.

Oath.

Bond.

Temporary clerk.

8. 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.

Records open to inspection.

Fee for transcript.

9. 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, 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

Writs, how issued.

Official designation of court.

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.

Law applicable to recovery of penalties.

10. 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 as are followed in cases of complaints before a justice of the peace.

Sufficiency of conviction set out.

11. 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 the 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.

Right to remit fines and discharge persons committed.

12. 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, to order the person so committed to be brought before 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.

Term and salary of magistrate and clerk.

13. The magistrate of any such court shall be elected or appointed for the term of three years, and receive an annual salary not less than two thousand 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; and the clerk of any such court shall receive an annual salary not exceeding twelve hundred dollars, to be paid in the same manner as the salary of the magistrate is paid.

Question of constitutionality.

14. 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.

Repealer.

15. All acts or parts of acts, general, special and local, so far as they conflict herewith, be and the same are hereby repealed.

16. This act shall take effect immediately.

Approved April 1, 1910.

CHAPTER 78.

An Act to amend 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 April fourteenth, one thousand nine hundred and three.

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

Section 12 amended.

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

Delivery of ballots and boxes and receipts for same on primary day.

12. The said municipal clerk shall, on the morning of the day preceding any primary election wherefore they are required by this act to provide ballots, cause to be delivered, at his office, to the clerks of the board of registry and election of each election district within his municipality, the ballots and the ballot-boxes provided for each election district, and to take a receipt of each election clerk therefor, which last mentioned receipt the clerk of such municipality shall file and preserve for the period of one year; said election clerks

shall, on the morning of the primary election, before proclamation of the opening of the polls, deliver the ballot-boxes and the ballots by them received to the election boards of their respective election districts, with the seals thereof unbroken, and shall take receipts therefor from said election board, which said receipts said election clerks shall file with the municipal clerk, and the same shall be preserved for one year; said municipal clerk shall provide a separate ballot-box for each political party for each election district in his respective municipality; said ballot-boxes shall be each composed of four glass sides, at least one foot wide and one foot high, with a wood or metal bottom and top, and with an opening at the top through which the ballots shall be inserted into the box; any ballot-box which can legally be used at any general election for members of General Assembly may be used at the primary elections held pursuant to this act.

Separate box for each party.

Kind of box.

2. This act shall take effect immediately.

Approved April 1, 1910.

CHAPTER 79.

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

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

Section 54 amended.

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

Delivery of ballots and envelopes by county clerk.

54. The county clerks of the several counties, not later than three days prior to any election for which they are required by this act to provide the ballots, shall cause to be delivered to the clerk of each township,

city or other municipality within their respective counties, the number of ballots and envelopes hereinbefore required to be provided for each election district within his township, city or municipality at such election; the same shall be sent in sealed packages, one for each election district of said township, city or other municipality, with marks or directions on the outside of each clearly stating the election district for which it is intended, together with the number of ballots and envelopes inclosed; receipts for ballots and envelopes thus delivered shall be given by the clerk receiving the same and filed with the county clerk, who shall also keep a record of the time when and the manner in which each of said packages was sent; the said township or other clerk shall, on the day preceding any such election (but on the Saturday preceding, when such election occurs on a Monday), deliver, at his office, to one of the clerks of each election district within his township, city or other municipality, the ballot box, the ballots and envelopes by him received from the county clerk for such election district, and take the receipt of such election clerk therefor, which last mentioned receipt the clerk of such township, city or other municipality shall file and preserve; said election clerk shall, on the morning of election and before the proclamation of the opening of the polls, deliver the ballot box, the packages of ballots and envelopes by him received to the election board of his election district, with the seals thereof unbroken, and shall take a receipt therefor from said election board, which receipt said election clerk shall carefully preserve for at least one year. In case of elections within and for a single municipality of any county where, under this act, the ballots and envelopes are required to be provided by the clerk of such municipality, the duties by this section imposed upon the county clerk with reference to the delivery of the ballots and envelopes shall, the necessary changes being made, devolve upon and be performed by the clerk of such municipality.

Receipts for same.

Delivery of ballots, etc., to clerks of election.

Procedure on election morning.

As to municipal elections.

2. This act shall take effect immediately.

Approved April 1, 1910.

CHAPTER 80.

A Supplement to an act entitled "A further supplement to an act entitled 'An act to regulate elections,' approved April fourth, one thousand eight hundred and ninety-eight," which further supplement 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:*

Time for filing petition.

1. All petitions providing for the nomination of candidates for public office in a single borough, ward or township, and all petitions endorsing the person or persons therein named for the position of delegate or delegates to the ensuing State, or congressional convention (as the case may be), shall be filed with the municipal clerk, not less than fifteen days prior to said primary election.

Repealer.

2. All acts and parts of acts which in any way conflict with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Approved April 1, 1910.

CHAPTER 81.

An Act relative to the compensation of assistant prosecutors of the pleas in certain counties of this State.

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

Salary of assistant prosecutor.

1. Wherever the population of any county bordering on the Atlantic ocean in this State, as ascertained by

any State or Federal census, is more than fifty thousand and not more than one hundred thousand, the assistant prosecutor of the pleas of said county shall receive an annual salary of two thousand dollars; said salary shall be payable in monthly installments out of the funds of said county, in lieu of all fees and allowances, which fees shall be paid in the county treasury.

Repealer.

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

Approved April 1, 1910.

CHAPTER 82.

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.

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

Issue road improvement bonds.

1. Whenever any township or other municipality shall have undertaken to pay ten per centum of the cost of any improvement under the provisions of the act to which this act is a supplement, either by resolution of the township committee or other governing body, or otherwise; and if in the opinion of any such township committee or other governing body, to be determined by resolution of such township committee or other governing body, it would be too burdensome on the taxpayers of such township or other municipality to place in the tax levy for any fiscal year the portion of the expense of said improvement to be borne by it, then it shall be lawful for such township committee or other governing body to issue a bond or bonds for the amount undertaken to be paid as aforesaid by such township or other municipality; said bonds shall be designated as "road improvement bonds," and shall be for such sums and such

Time. Rate. amounts, payable within thirty years from the date thereof, with interest, at a rate not exceeding five per centum per annum, payable annually or semi-annually, as such township committee or other governing body by resolution may determine; said bond or bonds may be either registered or coupon bonds, and shall be signed, sealed and executed in the manner that bonds of such township or other municipality are usually signed, sealed and executed, or as such township committee or other governing body may by resolution direct. After the issue of such bond or bonds there shall be placed in the annual tax levy of such township or other municipality a sum sufficient to pay the interest accruing on said bond or bonds, and also a sum which, with interest and accumulations thereon, will be sufficient to pay off and discharge said bonds at maturity.

Provision for interest and discharge of bonds.

2. This act shall take effect immediately.

Approved April 1, 1910.

CHAPTER 83.

A Supplement to "An act respecting conveyances" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

Preamble. WHEREAS, It has been the custom to file in the offices of the clerk of the Court of Common Pleas or register of deeds in the several counties of this State, maps, plats, plans and charts of lands which have been laid out or divided into building lots, farm plots, streets, roads, alleys, etc., or other purposes pertinent thereto; and

WHEREAS, There has been no provision made by law for the filing, indexing and preservation of said maps, plats, plans and charts; therefore

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

Filing of maps, etc.

1. The clerk of the Court of Common Pleas or register of deeds wherever such office exists in each of the several counties of this State shall, when delivered to them for that purpose, file, in folios, slides, cabinets or other proper receptacles, maps, plats, plans, or charts of lands lying in whole or part in the county where said maps, etc., are offered to be filed; and it shall be the duty of said clerk or register of deeds to endorse on each map so filed the date when the same was delivered to his office; and he shall provide and keep a proper index of all maps on file in his office; and he shall be allowed to collect a fee of one dollar for filing and indexing each map, plat, plan or chart, from the party delivering the same.

Fee.

What maps, etc., are to show.

2. No maps, plats, plans or charts shall be filed by said clerk, or register of deeds, unless the same shall designate and show, by metes and bounds, or by monuments or corners, or by designated adjoining lands, the location of the outbounds of any tract which has been laid out or divided into building lots, farm plots, streets, roads, alleys, etc.; and when a large tract has been so laid out or intended to be so laid out and it is the desire to file maps of the same in sectional parts thereof, then in that case an outline map of the whole tract shall be filed showing locations of the several sections, unless each separate section offered for filing shall, by its outbounds, show its location independent from any reference to any of the sections as aforesaid.

3. This act shall take effect immediately.

Approved April 1, 1910.

CHAPTER 84.

An Act to amend 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:*

Section 49 amended.

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

Ballots to be provided.

49. Except as in this act otherwise provided, separate printed ballots of the kind and description hereinafter directed shall be provided for each party or group of petitioners having candidates to be voted for at any election; the county clerk of each county shall provide said ballots in all cases where the names of any candidates to be voted for at any election to be held within his county are certified to him by the Secretary of State or included in any certificate or petition of nomination originally filed with him as such county clerk; in cases of election within and for a single municipality of any county where the certificate or petition of nomination is pursuant to this act to be filed with the clerk of such municipality, such municipal clerk shall provide said ballots; said county and municipal clerks in providing said ballots shall cause the same to be printed in manner and form following: The nominations of each party or group of petitioners shall be printed on separate tickets underneath the title or name of the party or petitioners making such nominations, as designated by them in their certificate or petition, so that all the candidates of each party or group of petitioners shall be and appear on its own separate ticket or ballot, or if there be no designation of name or title be then under the title of "independent nominations;" such clerk shall not be required to print any name upon any ballot when

Arrangement of names.

such name was not included in any certificate or petition filed with him at least eight days before the election; all ballots prepared by any county or municipal clerk shall be printed with black ink on plain white paper, and shall be of uniform size, quality and type, and of such thickness that the printing thereon cannot be distinguished from the back of the ballot, and without any mark, word, device or figure thereon except as in this act provided; there shall be printed on each ticket the name of but one candidate for each office to be filled, designating such office, and no ballot shall contain a greater number of names of persons, as designated to any office, than there are persons to be chosen to fill such office; whenever it shall be necessary to designate upon any official ballot the term of any office or offices to be filled at any election, such designation shall be printed on each ballot in a separate line beneath the title of such office, and in no case shall such designation of the term of any office be printed on the same line with the name of the candidate for such office.

Character of ballot.

Particular designation on separate line.

Approved April 1, 1910.

CHAPTER 85.

A Supplement to the act entitled "An act concerning 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. Where several parcels of land have been sold to any taxing district under and pursuant to the provisions of the act to which this act is a supplement, and all of said parcels have been included in one certificate of tax sale, as provided by section fifty-two of said act as originally enacted, it shall not be necessary for any such taxing district after the time to redeem any such parcel of land has expired to annex the notice to redeem and affidavit of service and affidavit that redemption has

Abstract of certificate of tax sale only necessary in case of non-redemption of land.

not been made to the certificate of tax sale and to file the same therewith in the office of the county clerk or register; but in all such cases the taxing district, after the time to redeem has expired, may record an abstract of such certificate containing so much thereof as appertains to the particular tract or tracts affected by the notice to redeem, with such notice and an affidavit of service thereof and an affidavit that the sale of such lands has not been redeemed; and said certificate shall, after recording such abstract, be returned to and remain on file with the officer of the taxing district entitled to custody thereof at and before the time the same was recorded. Any such certificate may be again recorded in abstract whenever and as often as any other tracts therein described have not been redeemed on due and legal notice. In all such cases the notice to redeem and affidavit of service thereof and affidavit that the sale has not been redeemed need not be annexed to the certificate of tax sale, but after being recorded with the abstract, shall be filed with the county clerk. If the sale of any tract mentioned in any such certificate shall have been assigned by the taxing district the original certificate shall be recorded in abstract in like manner, by the officer having custody of the certificate of tax sale upon his being satisfied by affidavit that notice to redeem has been duly served and said lands have not been redeemed, at the request of the assignee and at his cost, together with the notice to redeem, affidavit of service thereof, affidavit of non-redemption and the deed of assignment, all of which except the tax certificate shall, after recording, be filed with the county clerk or register, and the certificate of tax sale shall be returned by the clerk or register to the taxing district. The officer of the taxing district causing such tax certificate to be recorded shall in all cases be entitled to a fee of twenty-five cents for such service, whether the same be rendered for the taxing district or for any assignee of tax sale.

Certificate to remain on file.

In case of assignment.

Fee for recording.

Repealer.

2. All acts and parts of acts inconsistent herewith are hereby repealed. This act shall take effect immediately.

Approved April 4, 1910.

CHAPTER 86.

An Act to amend an act entitled "An act in relation to the appointment of a court crier to the several courts of the counties of the first class, and fixing the salaries for same," approved April sixteenth, one thousand nine hundred and eight.

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

1. Section one of said act is hereby amended so as to read as follows: Section amended.

1. The judges of the Court of Common Pleas with the advice and consent of the board of chosen freeholders in counties of the first class are authorized to appoint in their respective counties a person as crier for the Court of Common Pleas. The duties of said crier shall be to attend daily upon the said court in the county wherein appointed during the several terms thereof, for which services the said crier in all counties of the first class shall receive and be paid an annual compensation or salary of not more than sixteen hundred dollars, to be fixed by the board of chosen freeholders of such counties in lieu of any per diem compensation or any other fees or costs of any nature whatever, such annual salary to be paid monthly by the county collector upon the certificate of the county clerk of said county. Court crier. Duties. Salary.

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

Approved April 4, 1910.

CHAPTER 87.

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:*

Payment of expenses of special election.

1. All lawful expenses heretofore incurred within the body of the county, in special elections held throughout the State or throughout the body of any county thereof, shall be paid by the board of chosen freeholders of such county, unless otherwise provided by law.

Provision for funds.

2. If no item of appropriation was inserted in any county tax budget for the payment of such expenses, or if the item was exceeded, and such board of freeholders has no funds available for the payment of the same, then it shall be lawful for such board to place the amount of such election expenses in the tax levy; and such board may borrow, on temporary loan bonds, sufficient moneys to pay such election expenses, said bonds to be payable within one year from their date, to bear interest at not exceeding five per centum per annum, payable semi-annually, and shall be executed in the manner that bonds of such county are usually executed, and shall be sold at either public or private sale for not less then par, and the said board shall place in the tax levy next after the issuance of such bonds an item of appropriation sufficient to pay the principal and interest thereof as the same mature.

May issue bonds.

3. This act shall take effect immediately.

Approved April 4, 1910.

CHAPTER 88.

An Act authorizing the establishment of county hospitals for the care and treatment of patients suffering from tuberculosis, and providing for the maintenance of the same.

Preamble.

WHEREAS, The State Tuberculosis Commission, authorized by the Legislature of one thousand nine hundred and nine, and appointed by His Excellency the Governor, in its report submitted to the present Legislature, recommends, under section six of said report, the establishment of county hospitals for advanced and incipient cases of tuberculosis; therefore

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

County hospitals for tuberculosis.

1. The board of chosen freeholders of any county shall have power by resolution passed by a majority vote to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis. When the board of chosen freeholders of any county shall have voted as aforesaid to establish such hospital, it shall have the following power:

Powers of freeholders.

Acquire property.

(*a*) To purchase and lease real property therefor, or acquire such real property, and easements therein, by condemnation proceedings, in the manner prescribed by the 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, and the acts amendatory thereof and supplementary thereto;

Erect buildings.

(*b*) To erect all necessary buildings, make all necessary improvements and repairs and alter any existing buildings, for the use of said hospitals; *provided,* that the plans for such erection, alteration or repair shall

Proviso.

first be approved by the Board of Health of the State of New Jersey;

Supply funds.

(*c*) 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 by the issuance of bonds in such amount as said board of chosen freeholders, by resolution, shall determine;

Managers.

(*d*) To appoint a board of managers for said hospital as hereinafter provided;

Bequests.

(*e*) To accept and hold in trust for the county, any grant or devise of land, or any gift or bequest of 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 is accordance with the terms of the gift.

Board of managers.

2. When the board of chosen freeholders shall have determined to establish a hospital for the care and treatment of persons suffering from tuberculosis, and shall have acquired a site therefor, and shall have awarded contracts for the necessary buildings and improvements thereon, it shall appoint five citizens of the county, of whom at least one shall be a practicing physician, who shall constitute a board of managers of the said hospital.

Terms.

The term of office of each member of said board first appointed shall be made for the respective terms of five, four, three, two and one years. Appointments of successors shall be for a term of five years, except that appointment of persons to fill vacancies occurring by death, resignation or other cause shall be made for the unexpired term.

Vacancies.

Failure of any manager to attend three consecutive meetings of the board shall cause a vacancy in his office, unless said absence is excused by formal action of the board of managers.

No compensation; only expenses met.

The managers shall receive no compension for their services, but shall be allowed their actual and necessary traveling and other expenses, to be audited and paid in the same manner as the other expenses of said county are paid. Any manager may at any time be removed from office

by the board of chosen freeholders for cause, after an opportunity to be heard.

3. The board of managers shall, among other things: Powers of board.

(*a*) Elect from among its members a president and one or more vice-presidents; appoint a superintendent of the hospital who shall also be the treasurer and secretary of the board and shall hold office at the pleasure of said board; said superintendent shall not be a member of the board of managers, and shall be a graduate of an incorporated medical college, with an experience of at least three years in the actual practice of his profession: Officers.

(*b*) Fix the salaries of the superintendent and all other officers and employees within the limits of the appropriation made therefor by the board of chosen freeholders, and such salaries shall be compensation in full for all services rendered; determine the amount of time required to be spent at the hospital by said superintendent in the discharge of his duties; Fix salaries.

(*c*) Have the general superintendence, management and control of the said hospital, of the grounds, buildings, officers and employes 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 they seem to them necessary for carrying out the purposes of such hospital; General supervision.

(*d*) Maintain an effective inspection of said hospital, and keep itself informed of the affairs and management thereof; meet at the hospital at least once in every month, and at such other times as may be prescribed in the by-laws; hold its annual meeting at least three weeks prior to the meeting of the board of supervisors at which appropriations for the ensuing year are to be considered; Inspection.

(*e*) 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 chosen freeholders of the county, and to duly authorized representatives of the State board of charities; Records.

(*f*) Certify all bills and accounts, including salaries and wages, and transmit them to the board of super- Accounts.

visors of the county, who shall provide for their payment in the same manner as other charges against the county are paid;

Annual report of managers.

(*g*) Make to the board of chosen freeholders of the county annually, at such time as said supervisors 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 appropriation required during the ensuing year for all purposes, including maintenance, the erection of buildings, repairs, renewals, extensions, improvements, betterments or other necessary purpose;

As to superintendent.

4. The superintendent shall be the chief executive officer of the hospital, and subject to the by-laws, rules and regulations and the directions of the board of managers; shall

Furniture, supplies, etc.

(*a*) 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 employes thereof; in counties where there is no purchasing agent, purchase all necessary supplies;

Supervision of accounts, employes, etc.

(*b*) 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 employes and inmates thereof; make 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;

Appoint assistants.

(*c*) Appoint such resident officers and such employes 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 employe at his discretion;

Daily records.

(*d*) 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 are correctly made up for the annual report of the board of chosen freeholders, and present same to the board of managers, who shall incorporate them in their report to the said board of chosen freeholders;

Receive patients.

(*e*) 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 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, and shall also receive persons from other counties as hereinafter provided. Said superintendent shall cause to be kept proper accounts and records of the admission of all patients, their name, age, sex, color, marital condition, residence, occupation and place of last employment;

Statistics.

Record of examinations and conditions.

(*f*) 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 patient according to his need, and cause a record to be kept of the condition of each patient when admitted, and from time to time thereafter;

Discharge inmates.

(*g*) Discharge from said hospital any patient who shall willfully 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 make a full report thereof at the next meeting of the board of managers;

Moneys.

(*h*) Collect and receive all moneys due the hospital, keep an accurate account of the same, report the same at the monthly meeting of the board of managers, and transmit the same to the treasurer of the county within ten days after such meeting;

Bond of superintendent.

(*i*) 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.

Applicants for admission.

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 applications 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 the receipt of such application, if it appears therefrom that the patient is suffering from tuberculosis, and if there be a vacancy in said hospital, shall notify the person named in such application to appear in person at the hospital. If, upon personal examination of such patient, or of any patient applying in person for admission, the superintendent is 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, admissions to said hospital shall be made in the order in which the names of the 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 employe of such hospital shall accept from any patient thereof any fee, payment or gratuity whatsoever for his services.

Blanks furnished.

Pecuniary considerations.

No discrimination toward patients.

Payment per capita.

Superintendent to determine upon whom payment falls.

6. Whenever a patient has been admitted to said hospital from the county in which the hospital is situated, the superintendent shall cause such inquiry to be made as he may deem necessary, as to his circumstances, and of the relatives of such patient legally liable for his support. If he finds that such patient or said relatives are able to pay for his care and treatment, in whole or in part, an order shall be made directing such patient, or said relatives, to pay to the treasurer of such hospital for the support of such patient a specified sum per week, in proportion to their financial ability, but such sum shall not exceed the actual per capita cost of maintenance. The superintendent shall have the same power and authority to collect such sum from the estate of the patient, or his relatives legally liable for his support, as is possesed by an overseer of the poor in like circumstances. If the superintendent find that such patient or said relatives are not able to pay, either in whole or in part, for his care and treatment in such hospital, the same shall become a charge upon the county.

Liability of relatives.

When a county charge.

Admission of patients from counties not having hospital.

7. In any county not having a county hospital for the care and treatment of persons suffering from tuberculosis, the overseer of the poor of any municipality in said county, upon the receipt of the application and certificate hereinafter provided for, may apply to the superintendent of any such hospital established by any other county, for the admission of such patient. Any person residing in a county in which there is no such hospital, who desires to receive treatment in such a hospital, may apply therefor in writing to the overseer of the poor of the municipality in which he resides on a blank to be provided by said superintendent for that purpose, submitting with such application a written certificate signed by a reputable physician on a blank to be provided by said overseer of the poor for such purpose, stating that such physician has, within the ten days then next preceding, examined such person, and that, in the judgment of such physician, such person is suffering from tuberculosis. The said overseer of the poor, on receipt of such application and certificate, shall forward the same to the superintendent of any

Maintenance.

hospital for the care and treatment of tuberculosis. If such patient be accepted by such hospital, the said overseer of the poor shall provide for his transportation thereto, and for his maintenance therein at a rate to be fixed as hereinafter provided.

Applications from patients outside county.

8. Whenever the superintendent of such a county hospital shall receive from an overseer of the poor in any other county an application for the admission of a patient, if it appear from such application that the person therein referred to is suffering from tuberculosis, the superintendent shall notify said person to appear in person at the hospital, provided there be a vacancy in such hospital, and there be no pending application from a patient residing in the county in which the hospital is located. If, upon personal examination of the patient, the superintendent is satisfied that such patient is suffering from tuberculosis, he shall admit him to the hospital. Every patient so admitted shall be a charge against the county from which he or she was sent, at a rate to be fixed by the board of managers, which shall not exceed the per capita cost of maintenance therein, including a reasonable allowance for interest on the costs of the hospital; and the bill therefor shall be audited and paid by the board of chosen freeholders of said county. The overseer of the poor of the municipality in which such patient resided shall cause an investigation to be made into the circumstances of such patient, and of his relatives legally liable for his support, and report thereon to the superintendent of said hospital, who shall have the same authority as an overseer of the poor in like circumstances to collect from said relatives, in whole or in part, according to their financial ability, the cost of the maintenance of such person in said hospital.

Rate of charge.

Relatives' liability.

Inspection by managers and Commissioner of Charities.

9. The resident officer of the hospital shall admit the managers into every part of the hospital and the premises, and give them access on demand to all books, papers, accounts and records pertaining to the hospital, and shall furnish copies, abstracts and reports whenever required by them. All hospitals established shall be subject to inspection by any duly authorized representative of the State Commissioner of Charities and Correc-

tions, of the Board of Health of the State of New Jersey, and of the board of chosen freeholders of the county; and the resident officers shall admit such representatives into every part of the hospital and its buildings, and give them access on demand to all records, reports, books, papers and accounts pertaining to the hospital.

As to hospital in connection with almshouse.

10. Wherever a hospital for the care and treatment of persons suffering from tuberculosis exists in connection with, or on the grounds of a county almshouse, the board of chosen freeholders may appoint a board of managers for such hospital, and its board of managers shall thereafter be subject to all the provisions of this act. Any hospital which may hereafter be established by any board of chosen freeholders shall be subject to all the provisions of this act.

11. This act sall take effect immediately.

Approved April 4, 1910.

CHAPTER 89.

An Act relative to the joint commission to investigate the project of one or more bridges between this State and the State of New York created by Joint Resolution No. 3, approved April second, one thousand nine hundred and eight, and making an appropriation therefor.

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

Official designation of commission.

1. The commission appointed by the Governor pursuant to 'Joint Resolution 3, creating a commission to confer with a New York commission and fully investigate the project of one or more bridges connecting this State with New York, approved April twenty-second, one thousand nine hundred and eight," which commis-

sion was continued in office for a further period of one year by an act entitled "An act relative to the joint commission to investigate the project of one or more bridges between this State and the State of New York, created by Joint Resolution No. 3, approved April second, one thousand nine hundred and eight," which act was approved April sixteenth, one thousand nine hundred and nine, is hereby continued in office for a further period of one year, and said commission shall hereafter be known as "New Jersey Interstate Bridge Commission."

County appropriation for preliminary work.

2. The board of chosen freeholders of any county in this State is authorized to appropriate and give to said commission such sum or sums of money, not exceeding ten thousand dollars, as said board may determine, and said commission is hereby empowered to receive such sum or sums of money and to expend same in determining the most appropriate type and location of any such bridge or bridges, making soundings and borings for the approaches and piers of same, and obtaining such proper information and knowledge as may be necessary for the proper construction of same and the cost thereof. And for the purpose of meeting any appropriations made as aforesaid, each of said boards of chosen freeholders may issue bonds in an amount equal to said appropriation, same to run for a period not longer than five years, with interest not exceeding five per centum per annum, and to be sold at private or public sale, in the discretion of each of said boards, at not less than par.

Bond issue.

Time and rate.

State appropriation.

3. The sum of five thousand dollars is hereby appropriated for the use of such commission, to be expended by them for the purposes set forth in said Joint Resolution No 3, approved April second, one thousand nine hundred and eight; and the said commission shall account, over the signature of its chairman, to the State Comptroller for any and all moneys received from the State, and to the county collector of any county from which it shall receive any money for the moneys received from said county.

Report.

4. Said commission shall report to the Governor and Legislature of this State during the regular session of the Legislature in one thousand nine hundred

and eleven as to all its actions and make such recommendations as it may think proper.

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

6. This act shall take effect immediately.

Approved April 5, 1910.

CHAPTER 90.

An Act authorizing any city of the first class in this State to appropriate money to be expended in celebrating the two hundred and fiftieth anniversary of the founding thereof.

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

1. Whenever the board having charge of the finances of any city of the first class in this State shall determine to participate in exercises celebrating the two hundred and fiftieth anniversary of the founding of such city, or of any portion thereof, such city is hereby authorized to appropriate, by resolution of such board, a sum not to exceed two thousand five hundred dollars to be used for the purposes of such celebration, which moneys, when so appropriated, shall be expended in such manner as said board may by resolution direct. Anniversary celebration.

2. The board having charge of the finances of any such city may raise the money authorized by this act by appropriating for that purpose any money in the treasury of such city not otherwise appropriated, or by issuing and selling temporary loan bonds, or certificates of indebtedness, to run for a period not exceeding one year, which bonds or certificates shall be sold at public or private sale after due advertisement, at not less than par, and shall bear interest at a rate not exceeding five per centum. Provision for funds.

3. This act shall take effect immediately.

Approved April 5, 1910.

CHAPTER 91.

An Act to authorize the cities of this State to acquire lands for public parks by purchase or condemnation, and to improve the same, and to issue and sell bonds to provide for the cost of such acquisition and improvement, and to provide by tax for the payment of the principal of and interest on said bonds.

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

Acquire lands for park purposes.

1. Whenever the board or body having charge and control of the finances of any city in this State shall deem it advisable to acquire any lands for use as a new public park, or as an extension of any existing public park in such city, said board or body may purchase said lands in the name of said city, or if said board or body is unable to agree with the owner or owners thereof as to the price and terms of purchase, or if by reason of any legal disability, or the absence of any owner or owners thereof, or for any other cause an agreement for the purchase of said lands, or any part thereof, or any rights or interest therein, cannot be made, then said board or body may cause said lands, or any part thereof, or any rights or interests therein, to be condemned and taken in the name and on behalf of such city, and the compensation to be made therefor shall be ascertained and paid or tendered in the manner provided by law; and said board or body may cause any lands so acquired to be laid out and improved as a public park or parks.

Bond issue.

2. The board or body having charge and control of the finances of any city in this State may from time to time by resolution provide for the issuance of bonds of such city to an amount not exceeding in the aggregate one-fourth of one per centum of the assessed

valuation of taxable property in such city according to the last assessment for taxation; *provided, however,* that bonds shall not be issued by any city under the authority of this act exceeding in the aggregate four hundred thousand dollars par value; said bonds shall be designated on their face (Park Bonds), and shall be of such denominations, bear such a rate of interest, not exceeding five per centum, and be payable at such places and at such times, not exceeding fifty years from their date, and be in such form, either coupon or registered, and be executed in such manner, as said board or body shall by said resolution determine; said bonds shall recite that they are issued pursuant to the authority of this act and of said resolution, which recital shall be conclusive evidence of their validity and the regularity of their issuance, and said bonds shall be sold, at not less than their par value, at public sale, after such advertisement of notice thereof as said board shall direct; and the proceeds resulting from the sale of any such bonds shall be applied by or under the direction of said board or body to the cost of acquiring any land or lands, or any rights or interest in lands, theretofore or thereafter acquired under the authority of this act, and of the improvement of any such lands as a public park or parks.

Proviso.

Total issue.

Rate.

Time.

Use of funds.

3. The board or body having charge and control of the finances of any city issuing bonds under the authority of this act shall provide for a sinking fund which it shall deem sufficient to retire said bonds at maturity, into which fund shall be paid annually an amount not less than one per centum of the principal of said bonds, to be raised by special tax assessed, levied and collected with the other taxes of such city; and there shall likewise be raised by taxation each year, until the payment in full of such bonds, an amount equal to the interest payable on said bonds in such year.

Sinking fund.

4. The powers conferred by this act shall be deemed to be in addition to and independent of any and all powers and authority conferred by any other law or

Additional powers conferred.

laws, and not subject to any limitations contained in any such other law or laws.

5. This act shall take effect immediately.

Approved April 5, 1910.

CHAPTER 92.

A Supplement to an act entitled "An act authorizing the sale of land granted or devised to religious associations or to corporations formed or existing for the purpose of education, or to officers or trustees of such corporations in certain cases," approved April seventeenth, one thousand nine hundred and five.

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

Validating disposition of land.

1. All sales, dispositions and uses of any lands and tenements heretofore made by any religious association or corporation formed or existing for the purpose of education, or by an officer or trustee of any such association or corporation, pursuant to the authority of the foregoing act, and such sale, disposition or use of any such lands and tenements so made having been made by the order of the Chancellor, and duly reported to and confirmed by him, be and the same are hereby confirmed and made valid and effectual, and such sales and dispositions be and the same are hereby declared to be good and sufficient conveyances and dispositions in the law, and any purchaser or purchasers of such land and tenements shall be deemed to have a good and complete title thereto, notwithstanding the fact that the lands and tenements so sold, disposed of or used were granted or devised to such association or corporation or to the officers or trustees thereof before the act to which this is a supplement went into effect.

2. This act shall take effect immediately.

Passed April 6, 1910.

CHAPTER 93.

A Further Supplement to an act entitled "An act to amend the title and body of an act entitled 'An act to provide for the purchase of sites for and the erection and equipment of armories in counties of the third class, and making appropriations therefor, and to provide for the taking of real estate for such sites by a commission in case same cannot be purchased by agreement, approved June eighteenth, one thousand nine hundred and seven,'" which said amendment was approved April seventh, one thousand nine hundred and nine, and is known as Chapter 52, page 74 of the Pamphlet Laws of 1909.

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

Appropriation for Bridgeton armory.

1. The sum of twenty-five thousand dollars, or so much thereof as may be necessary, be and the same hereby is appropriated out of the State fund for the erection and construction of an armory at Bridgeton, Cumberland county, pursuant to Chapter two hundred and fifty-four, page six hundred and forty-four, of the laws of one thousand nine hundred and seven, as amended by chapter fifty-two, page seventy-four, of the laws of one thousand nine hundred and nine.

2. This act shall take effect immediately.

Passed April 6, 1910.

CHAPTER 94.

An Act to amend an act entitled "An act to establish the office of register of deeds and mortgages in certain counties of this State," approved March seventh, one thousand nine hundred and four.

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:

Register of deeds in certain counties.

1. In every county of this State having a population of over one hundred thousand there shall be a register of deeds and mortgages in and for such county, who shall be elected by the people of the county, and shall hold his office for five years; he shall be commissioned by the Governor of this State, and his commission shall be issued and bear date on the Tuesday next after the annual election at which he may be elected.

2. This act shall take effect immediately.

Passed April 6, 1910.

CHAPTER 95.

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.

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 to read as follows:

Elevation of roads affected by storm tides.

1. If a public road has been opened or improved to any island in this State under the provisions of the act to which this is a supplement, and the island to which such road has been opened or improved has an assessed valuation of not less than five million dollars, and a registered voting population of not less than five hundred voters, and it shall appear that the road so opened or improved is covered with water at storm tides to such an extent that wagon travel to and from such island is cut off, and it appearing that such road is inadequate to accommodate the wagon travel over it, or is not passable at all times, then such road may be elevated, widened and improved and paid for in the same manner as is provided in the act to which this is a supplement.

2. This act shall take effect immediately.

Passed April 6, 1910.

CHAPTER 96.

An Act to incorporate the borough of Wildwood Crest, in the county of Cape May, and to fix the boundaries thereof.

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

Corporate name.

1. The inhabitants of that portion of Cape May county 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 Wildwood Crest, and shall be governed by the general laws of this State relating to boroughs.

Boundaries.

2. The boundaries of the said borough shall be as follows: "Beginning at a point of the intersection of the center lines of Pacific and Cresse avenues (the said center line of said Cresse avenue being the dividing line between the borough of Holly Beach City and Wildwood Crest, located in the township of Lower, Cape May county), thence running north 34 degrees 30 minutes west a distance of 2528.4 feet to the Bulkhead at Sunset Lake; thence across said Sunset Lake a distance of 350 feet, more or less, to the west channel bank of said Sunset Lake; thence north 8 degrees 0 minutes east along said bank line 1040 feet to a point; thence north 55 degrees 15 minutes west 200 feet to an old cedar stake; thence south 22 degrees 30 minutes west a distance of 920 feet; thence north 34 degrees 30 minutes west 300 feet; thence south 40 degrees west a distance of 1475 feet; thence south 4 degrees 30 minutes west 420 feet; thence south 21 degrees 15 minutes east 940 feet; thence south 69 degrees west 500 feet; thence south 32 degrees 35 minutes west 600 feet; thence south 41 degrees 50 minutes west 1224 feet; thence south 21 degrees 50 minutes west 372 feet; thence south 49 degrees west 1419 feet; thence south

31 degrees 45 minutes west 360 feet; thence south 41 degrees 30 minutes west 1280 feet; thence along the line of Turtle Gut Inlet south 24 degrees 30 minutes west 1685 feet; thence south 22 degrees west 3150 feet; thence south 2 degrees 15 minutes west a distance of 830 feet, more or less, to the low water mark of the Atlantic Ocean; thence along said low water mark, the various courses thereof, to the intersection of the said low water mark with the said center line of said Cresse avenue projected southeastwardly; thence along said center line of said Cresse avenue north 34 degrees 30 minutes west to the point of beginning."

3. This act shall take effect immediately.

Passed April 6, 1910.

CHAPTER 97.

A Further Supplement to an act entitled "An act for the preservation of clams and oysters," approved April fourteenth, one thousand eight hundred and forty-six.

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

Inspection of clam and oyster beds.

1. It shall be the duty of the Board of Health of the State of New Jersey annually, or oftener if said board shall deem it necessary, to inspect, or cause to be inspected, the various oyster and clam beds and other places within the State of New Jersey from which oysters or clams are taken to be marketed and sold for consumption as food, for the purpose of ascertaining the sanitary conditions of such oyster and clam beds and other places, and the fitness of the oysters and clams in such places, or which are taken therefrom, for use as articles of food. The said Board of Health of the State of New Jersey shall keep, or cause to be kept, an official record of each inspection so made, and

Record of inspection.

shall, as soon as possible thereafter, issue certificates, setting forth the result of such inspection, to the owners, lessees or proprietors of such oyster or clam beds, or other places.

Penalty.

2. Any person who shall gather with intent to sell for food any oysters or clams from oyster beds or clam beds or any other place within the jurisdiction or forming a part of the State of New Jersey, which have been condemned by said board, in accordance with section one of this act, shall be liable to a penalty of one hundred dollars, to be recovered in an action of debt by and in the name of the Board of Health of the State of New Jersey.

3. This act shall take effect immediately.

Approved April 6, 1910.

CHAPTER 98.

An Act to prevent the diversion of well, sub-surface or percolating waters of this state by means of pipes, conduits, ditches or canals into other states for use therein.

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

Unlawful to divert waters from State.

1. It shall be unlawful for any person or corporation to transport or carry through pipes, conduits, ditches or canals any well, sub-surface or percolating waters of this state into any other state for use therein.

2. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 99.

An Act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to establish schools of detention,"' " approved March twenty-seventh, one thousand nine hundred and six, which amendatory act was approved April sixteenth, one thousand nine hundred and eight, which last amendatory act was approved April thirteenth, one thousand nine hundred and nine.

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

Section 6 amended.

1. Amend section six of an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to establish schools of detention,"' " approved March twenty-seventh, one thousand nine hundred and six, which amendatory act was approved April sixteenth, one thousand nine hundred and eight, which last amendatory act was approved April thirteenth, one thousand nine hundred and nine, so that the same shall read as follows:

Counties may contract for children.

6. In counties of this State where the total commitments of the above classes of children during the year may be so few as, in the judgment of the board of chosen freeholders, to render impracticable, on account of the large expense involved, the building and supporting of such houses of detention within such county, it shall be lawful for such county, through its respective boards of chosen freeholders, with the consent of the judge of the Juvenile Court of said county, or the judge of the Orphans' Court, if there be no Juvenile Court, to enter into negotiations with any reputable and regularly incorporated society or institution in this State whose business it is to care for homeless or indigent

or neglected children for the board and care of such children as may from time to time be committed by the said judge, or as may be placed therein by the parent or parents, guardian or guardians of any such child;

Proviso. *provided*, such society or institution is willing to enter into bonds to carry out in full the spirit and intent of this law as to the length of time such child or children shall be detained, the character of the physical, the mental and the moral discipline it shall receive, and

Proviso. the regular reports to be made; *and provided,* said children are regularly sent to the public schools in the district in which said institution is located, or are regularly sent to a school maintained and conducted by such

Price of board per week. society or institution. And the said judge, with the concurrence of the said board of chosen freeholders, is hereby authorized to fix the price to be paid per week for the board of each child so placed, not exceeding three dollars per week; the amount to be expended in clothing, medical attendance or incidentals that may be found necessary and to provide for the payment of all such expense. And such corporate society or institution, by thus accepting such children from the county, shall not thereby become a part of the public school system of the State, but retain its place and its corporate powers, and its character as a private institution belonging to and a part of the said corporate society or

Proviso. institution; *and provided further,* that it shall be lawful for the board of chosen freeholders of any county in this State to purchase lands adjoining or near any such house of detention or school, wherever the same may be located in this State, and to erect and construct proper and necessary buildings thereon for the care of homeless, indigent or neglected children, or such as may be placed in or committed thereto from said county

Proviso. or counties, as in this act provided; *provided further,* that the toal amount hereby authorized to be expended by the board of chosen freeholders of any county in this State for the purchase of said land, and the erection and construction of necessary buildings thereon, and the furnishing of the same, shall not exceed the

Proviso. sum of three thousand dollars; *and provided further,* that it shall be lawful for, and the board of chosen free-

holders of any county of this State may, in their discretion, in lieu of issuing and selling bonds of said county for the obtaining of means for the purchase of said lands and the erection and furnishing of said buildings as provided for in this act, provide by taxation for the raising and paying the cost of the purchase of said lands and the erection and furnishing of said buildings, and cause the same to be assessed and collected by tax, at the same time and in the same manner as other taxes in said county or counties are assessed and collected, a sum sufficient to pay for the same.

Repealer.

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

3. This act shall take effect immediately.

Approved April 6, 1910.

CHAPTER 100.

An Act to amend an act entitled "An act to further amend an act entitled 'An act concerning railroads,'" approved April fourteenth, one thousand nine hundred and three, which amendatory act was 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 40 amended.

1. Section forty be and the same is hereby amended to read as follows:

State officials entitled to free transportation.

40. The Governor, Chancellor, Vice-Chancellors, the Justices of the Supreme Court and the Judges of the Court of Errors and Appeals, Judges of the Circuit Court, Attorney-General, Secretary of State, State Treasurer, Deputy State Treasurer, State Comptroller, Deputy State Comptroller, Clerk in Chancery, Deputy Clerk in Chancery, Clerk of the Supreme Court, Deputy Clerk of the Supreme Court, Adjutant-General, Quartermaster-General, the Secretary to the Governor, the Execu-

tive Clerk, Clerk to the School Fund, State Librarian, Custodian and Assistant Custodian of the State Capitol, State Prison Keeper, Supervisor of the State Prison, the Superintendent of the New Jersey Reformatory, State Superintendent of Public Schools, the members of the Board of the Fish and Game Commissioners, its Secretary and Protectors, Assistant State Superintendent of Public Schools, Commissioner of Banking and Insurance, Commissioner of Charities and Corrections, State Geologist, Commissioner of Public Roads, State Supervisor of Public Roads, Commissioner of Motor Vehicles, Chief of the Bureau of Labor and Statistics, Deputy Chief of the Bureau of Labor and Statistics, Commissioner of Labor, Assistant Commissioner of Labor, the members and clerk of the State Board of Equalization of Taxes, the members and secretaries of the State Board of Assessors and the Board of Railroad Commissioners, its secretary and inspectors, the members of the State Water Supply Commission, its secretary and engineer, the members of the Public Utilities Commission, its secretary and inspectors, members of the Civil Service Commision, and the secretary and Chief Examiner thereof, Commissioner of Inland Waterways, Chief of the Bureau of Shell Fisheries, the secretary and members of the State Board of Health, the members of the Riparian Commissions and the secretary and engineer thereof, the members and officers of both Houses of the Legislature of this State and the members of Congress and United States Senators, during their various respective terms of office shall pass and re-pass free of charge on all railroads now or hereafter operated in this State.

2. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 101.

An Act regarding the filing and preservation of the records and accounts of State departments, institutions, boards and commissions.

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

File accounts, etc., monthly.

1. It shall be the duty of the various State departments, institutions, boards, commissions and officials to file in their respective offices, at least once a month, all vouchers, bills, checks, minutes, and all other papers and books relating to the conduct and accounts of the said departments, institutions, boards, commissions and officials, where the same shall be preserved in a safe and secure manner.

2. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 102.

A Supplement to an act entitled "A general act relating to boroughs (Revision of 1897)."

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

Pavilions at shore resorts.

1. The council of any borough in this State bordering or situated upon the Atlantic ocean shall have power to purchase, or by condemnation acquire, any of the lands in any such borough bordering upon the ocean or bays and adjacent thereto situate in such borough, for public purposes and for places of resort, for public health and recreation, and to improve the same by

the erection of pavilions or bath-houses, and to otherwise improve the same. And for such purposes and in order to obtain the money necessary therefor, the borough council of such borough is hereby authorized to issue a certificate or certificates of indebtedness, to run for a period not exceeding five years, to bear interest at a rate not exceeding six per centum per annum, and to an amount not exceeding twelve thousand dollars ($12,000) for acquiring such land, and to an amount not exceeding eighteen thousand dollars ($18,000) for such improvements.

Bond issue.

Time; rate.

Amount.

2. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 103.

A 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.

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

1. It shall be unlawful for any person or corporation to lay any pipe or pipes on any of the lands of the State lying under tidal waters without the consent or permission of the Governor and the Board of Riparian Commissioners of this State first had and obtained in writing; *provided,* that nothing in this act contained shall be construed to apply to lands under the waters of the Atlantic ocean.

Consent of riparian board to lay pipes under tidal waters.

Proviso.

2. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 104.

An Act authorizing township committees, at the expense of the townships, to repair or light, or both, certain streets or roads which may not have been laid out by surveyors of the highway or dedicated.

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

Repair and light streets and roads.

1. On and after the passage of this act it may be lawful for any township committee in any township of this State, at the expense of said township, to repair or light, or both, any street or road therein, even though the said street or road shall not have been laid out by surveyors of the highway or dedicated as a public highway; *provided,* that this act shall only apply to streets or roads which have been opened and traveled by the public for at least twenty years, and upon which the public travel is sufficient, in the opinion of the township committee, to warrant the said expenditures.

Proviso.

2. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 105.

An Act to provide for the appointment of matrons in county jails, and to define their powers and duties.

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

Matron of county jails.

1. Upon the passage and approval of this act, the sheriff of each county may appoint for the county jail some suitable woman resident within the said county as matron for the said county jail, who shall hold of-

fice during the pleasure of said sheriff. The board of chosen freeholders of the said county shall, upon notice of such appointment, fix and determine the compensation to be paid to the said matron, which compensation shall be paid monthly to the said matron by the proper authorities of the county.

Compensation.

Duties.

2. The said matron shall have care and control over all females committed to the said county jail, subject to the authority of the sheriff of the said county; subject to the authority of the sheriff, so far as practicable, she shall arrange for the segregation of the female inmates of the said institution and, in general, have charge and control over all matters pertaining to the welfare, both physical and moral, of the female inmates of the said institution; she shall make an annual report to the board of chosen freeholders of the said county respecting the general condition of the female inmates of the said institution, each year, with recommendations concerning any necessary steps to be taken for the improvement of the welfare, both moral and physical, of the said female inmates of the said institution, as observed by her.

Report.

3. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 106.

An Act concerning District Courts.

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

List of persons eligible for jury duty.

1. It shall be the duty of the District Court judge on the first Monday of February in each year to make a list of not less than five hundred of those persons residing within the jurisdiction of his court who are eligible to jury duty, which list except as hereinafter provided shall be the jury list for one year. After the making of such list he shall sign the same and file

it with the clerk of his said court, and all jurors to be summoned in such court shall be taken from such list. When a jury of twelve men shall be demanded, fifteen jurors shall be summoned, and when a jury of six shall be demanded eight jurors shall be summoned in the manner provided by law.

Talesmen.

2. Upon the trial of the cause, if, after exhausting the challenges allowed by law, a sufficient number of jurymen do not remain in the jury box, the vacancies may be filled by talesmen called for that purpose.

Alter list.

3. The District Court judge shall have the power to excuse any juror on said list, and add to such list from time to time.

Rules.

4. The judge shall have power to make all necessary rules to carry out the purpose of this act.

List prepared at once.

5. Immediately after this act takes effect it shall be the duty of the judge of the District Court to make a list of the jurors eligible for jury duty as herein provided to serve between the time of the adoption of this act and the making up of a new list as herein provided.

6. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 107.

A Supplement to an act entitled "An act relative to habitual drunkards," approved March third, one thousand eight hundred and fifty-three.

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

Provision for support of family.

1. It shall be lawful for the guardian of any habitual drunkard appointed under the act to which this is a supplement, by petition in writing, to the Court of Chancery or the Orphans' Court, to apply for an order directing what amount may be expended by such guar-

dian for the support and maintenance of said drunkard or that of his or her family or household, out of his or her personal estate and the income thereof, and the profits of his or her lands and tenements, or directing the payment of any debts of said drunkard or his or her family, or otherwise directing said guardian in relation to the management and preservation of the estate of said drunkard, and the Court of Chancery or the Orphans' Courts are hereby authorized, on investigation of the matter in said petition alleged, to make such order or decree as shall be equitable and just in the premises, and to direct what notice, if any, shall be given of the proceedings to be had under such application; and the costs of such application and proceedings thereunder shall be paid out of the estate of said drunkard.

Court's decree.

2. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 108.

An Act to incorporate the borough of Flemington, in the county of Hunterdon.

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

Corporate name.

1. The inhabitants of that portion of the township of Raritan, in the county of Hunterdon and State of New Jersey, 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 Flemington," and shall be governed by the general laws of this State relating to boroughs.

Boundaries of Flemington.

2. The boundaries of said borough shall be as follows: Beginning at a stone monument on the arch bridge near W. H. Greason's (formerly Richard Emmons'), said bridge being on a course north 7 degrees

55 minutes west, for a distance of 78.26 feet from stone monument at intersection of Branch street and boundary limits and station 27 x 61.45 on Branch street of town maps; thence (1) on a course south 7 degrees 55 minutes east for a distance of 7799.8 feet to a stone monument in Reaville avenue (formerly public road leading to John C. Merrill's); thence (2) on a course north 67 degrees 9 minutes west for a distance of 2809 feet to a stone monument in Main street or public road leading from Flemington to Ringoes, formerly southeast corner of George Hanson's lot near Thomas Hartpence's; thence (3) on a course north 89 degrees 47 minutes west for a distance of 2207.5 feet to a stone monument in Thomas Edmonson's line; thence (4) along Edmonson's line on a course north 5 degrees 13 minutes west for a distance of 1205.2 feet to a stone monument in formerly Charles Bartles' line, now Thomas Edmonson's line; thence (5) along said Edmonson's line (formerly Bartles') on a course north 17 degrees 23 minutes west for a distance of 549.2 feet to a stone monument in Mine street or public road leading from Flemington to Sergeantsville; thence (6) on a course north 26 degrees 37 minutes west for a distance of 638.4 feet to a stone monument in the west end of Bonnell street; thence (7) on a course north 9 degrees 50 minutes east for a distance of 1814 feet to a stone monument in Capner street or public road leading to Croton, formerly the southwest corner of Mrs. Kee's land, now the land of the Prospect Hill Cemetery Association; thence along formerly said Kee's land (8) north 5 degrees 44 minutes west for a distance of 1110.5 feet to a stone monument at the northwest corner of formerly Mrs. Kee's land; thence (9) on a course north 14 degrees 4 minutes east for a distance of 1229.6 feet to a stone monument on the arch bridge north of James J. Losey's (formerly Samuel Johnson's) house; thence down the creek the following courses and distances (10) north 73 degrees 39 minutes east for a distance of 1160.8 feet to a stake; thence (11) on a course south 79 degrees 30 minutes east for a distance of 750.8 feet to a stake; thence (12)

on a course south 32 degrees 48 minutes east for a distance of 518.5 feet to a stake; thence (13) on a course south 76 degrees 9 minutes east for a distance of 491 feet to a stake; thence (14) on a course north 49 degrees 1 minute east for a distance of 661.7 feet to a stake; thence (15) on a course north 74 degrees 55 minutes east for a distance of 712.4 feet to the beginning.

Referendum.

3. This act shall take effect immediately; *provided,* it shall not operate to effect the incorporation of the 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 of the said described territory voting thereon at a special election to be held within said territory within sixty days from the approval of this act, at a place within said territory to be fixed by the clerk of the village trustees of the village of Flemington.

Notice of election.

The clerk of village trustees of said village of Flemington shall cause public notice of the time and place of holding said election to be given by advertisements, signed by himself and set up in at least ten public places within said described territory and published in one or more newspapers printed or circulating therein at least ten days prior to such election; and said clerk shall provide for each elector voting at such election,

Ballots.

ballots to be printed or written, or partly printed and partly written, on which shall be printed the words "for" and "against" above and immediately preceding the 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 said act; if the word "against" is marked off or defaced upon the ballot, it shall be counted as a vote in favor of the acceptance thereof; and in case neither the word "for" nor the word "against" be marked off or defaced upon the ballot, it shall not be counted either as a vote for or against such acceptance. Such election shall be held at the time and place so appointed, and he conducted by such officers as shall be appointed by the board of village trustees of the village of Flemington, in their corporate capacity, and said election shall be held in accordance

Election, how conducted.

with the provisions of the statute relating to elections held in the village of Flemington for members of the board of village trustees of such village, and no special form of ballot or envelope need be used at such election. The officers holding such election shall make return to the township committee of said township of Raritan of the result thereof by a statement, in writing, under their hands, and the same shall be entered at length on the minutes of said township committee; and thereupon and upon such adoption, but not otherwise, this act shall in all respects be operative.

Returns to township committee.

4. Immediately after the statement of the result of such election shall be made to the township committee of said township of Raritan, a copy thereof, certified to by its clerk, shall be forthwith filed in the office of the county clerk of said county of Hunterdon.

Certified copy of returns filed with county clerk.

5. All rights, franchises and property of every kind now belonging to or vesting in the board of village trustees of the village of Flemington, in their corporate capacity, shall forthwith belong to and be vested in the borough of Flemington, and all debts, dues and obligations of every kind owing by and chargeable to the board of village trustees of the village of Flemington, in their corporate capacity, shall forthwith become and be the debts, dues and obligations of the borough of Flemington.

All rights and obligations transferred to borough.

Approved April 7, 1910.

CHAPTER 109.

A Supplement to an act entitled "An act regulating the employment, tenure and discharge of certain officers and employes 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:*

Civil service offices consolidated.

1. The commission created by this act may consolidate the office of chief examiner and the office of secretary, and appoint a person, who must be a resident of New Jersey, to fill the office of chief examiner and secretary, who shall receive an annual salary of three thousand five hundred dollars, to be paid in equal monthly payments out of the Treasury of the State on the warrant of the Comptroller.

Salary.

Duties.

2. The person holding the office of chief examiner and secretary shall perform all the duties assigned either to the secretary or to the chief examiner in the act to which this act is a supplement.

3. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 110.

An Act to give to harbor boards jurisdiction and control over parts of certain streets, highways and public places in cities where harbor boards have or may hereafter be created.

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

Jurisdiction over streets, etc.

1. In cities in this state in which harbor boards have or may hereafter be created pursuant to the provisions of the act entitled "An act authorizing the creation of harbor boards in cities accessible to commerce by water, and prescribing their powers and duties," approved April fourteenth, one thousand nine hundred and nine, those parts of the streets, highways and public places extending back from any land acquired or to be acquired by said board for a distance not to exceed three hundred feet, shall be under the jurisdiction and control of the harbor board of the city.

May rent streets, etc., so adjacent.

2. The harbor board in any city shall have power to rent or lease in connection with docks, piers, bulkheads and warehouses, or otherwise, the parts of streets, highways, or public places under its jurisdiction and control, and the rent and income received therefrom shall be collected by the harbor board and paid over to the proper fiscal officers of such city.

Repealer.

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

Approved April 7, 1910.

CHAPTER 111.

An Act to provide for the drainage of flowed lands in the township of Hanover, county of Morris, lying and situate between the Whippany river, the Troy brook, the road leading from the Methodist church in Whippany in a northeasterly and northerly direction to Troy brook, beyond Troy Hills and the road leading from the last-mentioned road to the Hanover Neck road, passing the properties of H. C. Bleeker, David Perrine and Samuel Hopping.

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

Owners of flowed lands to choose managers.

1. It shall be lawful for the owners of flowed lands in the township of Hanover, county of Morris, lying and situate between the Whippany river, the Troy brook, the road leading from the Methodist church in Whippany in a northeasterly and northerly direction to Troy Brook, beyond Troy Hills and the road leading from the last-mentioned road to the Hanover Neck road, passing the properties of H. C. Bleeker, David Perrine and Samuel Hopping, to meet together annually on the first Monday of May at two o'clock in the afternoon, and that their first meeting shall be held at the house of John J. Mitchell, in the township of Hanover, where said meetings shall continue to be held unless it shall be determined otherwise, and choose by ballot, by plurality vote, a moderator, clerk, and three managers, all of whom shall continue in office for one year, or until others are chosen.

Clerk's duties.

2. It shall be the duty of the clerk to procure a book, which shall be kept by him and his successors in office, and in which shall be recorded the proceedings of the said annual meetings, and the said book or certified copy thereof, signed by the moderator and clerk

for the time being, shall be received in evidence in any court where the same may be required.

Managers to inspect lands overflowed.

3. It shall be the duty of the said managers, or a majority of them, within thirty days after the time fixed for said annual meetings, to inspect the lands overflowed and liable to be overflowed within the limits aforesaid and thereupon determine and decide, by writing, under their hands, whether the ditches are so obstructed as to require clearing out, and what lands will be benefited by such clearing out, which decision and determination shall be by the said managers certified to the said clerk, and by him recorded in said book.

Contract for drainage.

4. After the expiration of ten days, and within twenty days next succeeding such determination and decision, the said managers, or a majority of them, shall, by contract, or in such other manner as to them shall seem best, take and provide the necessary and proper measures and means for opening on or before the first day of October then next ensuing such ditches as required by said decision and determination; but said managers, or any of them, shall not be personally bound or liable under any contract that may be made or measures or means that may be adopted for the purposes aforesaid, unless such personal liability be expressly assumed and stated.

Lands assessed for benefits.

5. The said managers, or a majority of them, shall, within five days after the said contract shall have been made, or measures and means taken and provided as aforesaid, appoint an assessor annually, by writing, under their hands, whose duty it shall be forthwith to proceed and assess upon the owners of said lands so to be benefited by the clearing out of said ditches within the limits aforesaid, the expenses thereof as ascertained and determined by said managers, or a majority of them, upon the making of such contracts or the taking and providing measures and means aforesaid, in proportion to the benefits each owner will receive, in the opinion of said assessor, from the clearing out of said ditches; and said assessor shall, within thirty days after his appointment, make return of his assessment to the said managers, who, or a majority of them,

Notice of assessment.

shall thereupon, within five days thereafter, cause the said clerk to give notice thereof to said owners of lands so assessed, and if any owner of lands shall feel aggrieved by such assessment, he may, within ten days after receiving notice thereof as aforesaid, appeal therefrom to said managers, who shall appoint a time and place for the hearing of all appeals to them made, and their decision, or the decision of a majority of them, in the premises shall be final and conclusive.

Right of appeal.

When assessment payable; penalty for non-payment.

6. The said assessment shall be due and payable to said managers on or before the fifteenth day of October in each year, or if any person assessed shall neglect or refuse to pay his assessment as herein required, fifty per centum shall be added thereto, and the amount of said assessment and added per centum shall be a lien upon the said lands of such person, and said managers, or a majority of them, may, after five days' notice in five public places in the township or townships where said lands may be situate, make sale at public auction of the crops growing on said lands of the person or persons so making default as aforesaid in order to raise and pay the amount of his, her or their assessment and added per centum and costs and expenses of collecting the same; or, if said managers, or a majority of them, choose so to do, they may bring an action of debt against any person or persons in default as aforesaid in any court having jurisdiction of the amount to be recovered, which action may be brought in the individual names of the said managers, or any two of them, and it shall be sufficient to declare that the suit is brought to recover of the defendant an assessment made against him under and by virtue of this act, and any judgment recovered in any such action may be collected by execution issued generally against the goods and chattels, lands and tenements of the defendant, in the same manner as other judgments in said courts are or may be collected.

Sell crops.

Bring action of debt.

Compensation of managers, etc.

7. The said managers and clerk shall be entitled to the sum of one dollar and fifty cents, and the said assessor shall be entitled to the sum of two dollars and fifty cents for each and every day they may be respectively

employed in and about the duties of their said offices; and it shall be the duty of the said assessor to levy and assess as aforesaid, in addition to the expenses of clearing out said ditches, such amount as the said managers and clerk, or a majority of them, shall, under their hands, certify to them is necessary to be raised to pay the said clerk, managers and assessors, and other necessary expenses incurred or to be incurred during that year in and about making and collecting of said assessments.

Oaths.

8. The said managers, clerk and assessor shall, before entering upon the duties of their respective offices, take an oath faithfully, fairly and impartially to perform the duties required of them by this act.

Right of entry on lands.

9. It shall be lawful for the person or persons taking a contract or contracts from said managers to enter upon any lands to do the work required by said contract or contracts, doing no unnecessary damage to private property.

10. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 112.

An Act to authorize any two or more municipalities in this State to jointly provide, maintain and operate trunk or outlet sewers and sewage disposal plant or plants or a system of sewerage and to otherwise act jointly concerning the collection, removal or disposal of sewage and make contracts in relation thereto.

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

Joint municipal sewerage system.

1. It shall be lawful for any two or more municipalities in this State, without regard to the form of their incorporation, to jointly provide, maintain and operate a system of sewerage, or a system of conveying or con-

ducting sewage from said several municipalities, from a point or points to be agreed upon, to a common destination or disposal plant or plants, and to construct, maintain and operate within or without the said municipalities, or any of them, one or more outlet or trunk sewers, plants, works or stations for the treatment, disposal or rendering of sewage; and to that end

Surveys, maps, etc.

2. The governing bodies or boards of any two or more municipalities in this State, authorized by law to have charge of sewer systems established or to be established in such municipalities, respectively, may unite and jointly cause to be made at their joint expense, by competent engineers, mechanics and others, surveys, maps, plans, reports and estimates of proposed works and improvements relating to any contemplated public improvement or works authorized by this act, which such municipalities may desire to jointly provide, maintain and operate under the authority conferred by this act, and for such purpose and before determining upon a final route and plan for the building or construction of any public improvement or works authorized by this act, and for the making of the surveys, maps, plans, reports and estimates as provided in this section, it shall be lawful for the municipalities desiring to make such improvement or work, by their officers, agents, servants and employes, to enter at all times upon any lands or waters, for the purpose of exploring, surveying, leveling and laying out the route of any trunk or outlet sewer or sewers system of sewerage, sewage disposal plant or plants and appurtenances, locating storage basins or pumping or other works, establishing grades and for the doing of all necessary preliminary work, doing, however, no unnecessary damage or injury to private or other property; such surveys, maps, plans, reports and estimates, or true copies thereof, shall be delivered by the persons making the same to the clerk of each of the municipalities joining in the expense of making the same, together with a statement or estimate of the cost and expense of such proposed improvement, or works, and also an estimate of the annual cost of maintenance, repairs, operation and supervision of such

Employes' right to enter upon lands.

Estimates.

proposed improvement or works after the completion of such improvement or works; the clerks of each municipality interested as aforesaid shall immediately submit to the governing body or board of the municipality authorized by law to have charge of sewer system established or to be established in such municipality, all the surveys, maps, plans, reports, estimates and statements so delivered to him, and said municipal body or board shall immediately thereafter proceed to consider the same, and if the said body or board of any such municipality shall not approve the same and shall decide not to join in the construction of the proposed improvement or works to which the matters submitted relate, then said body or board shall pass a resolution declaring its refusal to join in providing the said public improvement or works, and a copy of such resolution, duly certified by the clerk thereof, shall be served on the clerk of each of the other municipalities interested therein; if, on the contrary, such governing body or board of such municipality, as aforesaid, shall, after such consideration, by resolution duly adopted, approve the surveys, maps, plans, reports, estimates and statements so submitted to it as aforesaid, then it shall cause such surveys, maps, plans, reports, estimates and statements to be filed with the clerk of such municipality, there to remain of record; a copy of the said resolution of approval certified by the municipal clerk shall be by him served on the clerk of each of the other municipalities interested in the making of the surveys, maps, plans, reports estimates and statements so submitted and approved as aforesaid; it shall be lawful for the said bodies or boards of any two or more of the municipalities so adopting such resolution of approval, as aforesaid, and desiring to unite in the construction and making and maintaining of such public improvement or works as aforesaid, to thereupon respectivly authorize, by an ordinance duly passed (the ordinance of each municipality to be substantially the same), the making and entering into, by and on behalf of such municipalities respectively, or a joint contract or contracts in writing upon such terms and condi-

Consideration by respective boards.

Action if consideration favorable.

Joint contracts.

tions as to them shall seem proper (for which authority is hereby fully given) with such other municipality or municipalities for the making of any one or more of the public improvements or the doing of any work authorized by this act, including the maintenance and operation of such improvements at the joint cost and expense of such contracting or associated municipalities, and as may be provided and specified in said contract, and for the construction of any necessary storage basins for collecting the sewage of such contracting or associated municipalities, and for acquiring the right to connect with and use any outlet or trunk sewer or sewers, or system of sewers and appurtenances that may have been theretofore constructed, or that may thereafter be constructed, within or by any other municipality, or within or by any of the municipalities so jointly contracting as aforesaid, and for the doing of any other act necessary or convenient for the providing, maintaining and operation of such public improvement or works; such ordinance shall generally describe such public improvement or works to be jointly provided by the municipalities contracting therefor with each other as aforesaid; such ordinance shall also prescribe and fix the percentage of the capacity of such system of sewerage and sewage disposal plant or plants, to the use of which each municipality shall be entitled; also the percentage of the total cost, damages and expenses of said improvements or works to be paid by each contracting municipality; after the passage of such ordinance by such municipality, pursuant to the laws governing the same, it shall be lawful for the proper officers thereof to join with the proper officers of the other municipalities so authorized by ordinance, in executing a joint contract in accordance with the provisions of the ordinance of such municipality hereby authorized to be enacted by such municipality, and such municipality and all the other contracting municipalities are hereby authorized to do any and all acts necessary or advisable regarding the execution of such joint contract.

Capacity.

Percentage to be paid by each municipality.

Joint meetings of boards.

3. After the execution by two or more municipalities in this State of a contract pursuant to the provisions

of the second section of this act, it shall be lawful for the respective governing bodies or boards of the municipalities so contracting authorized by law to have charge of sewer systems established or to be established therein, and it shall be their duty to meet in joint meeting, at such time and place as may be fixed in writing by a majority of the presiding officers of such bodies or boards; and such bodies or boards of said contracting municipalities shall meet at the time and place so to be designated as aforesaid, and shall proceed at once to organize as a joint meeting, by electing, by roll-call of such municipalities, a member of one of the bodies or boards of the municipalities composing such joint meeting, a permanent chairman of such joint meeting; said joint meeting shall, immediately after selecting a permanent chairman, and at the same meeting, proceed to elect in like manner by roll-call, a secretary and a treasurer and may then or thereafter from time to time elect or choose such other officers, servants and agents for such time or times as they may determine, and fix such compensation for them respectively; such joint meeting shall continue to exist until the full completion of the works or improvement mentioned and referred to in the contract between the several municipalities as aforesaid, and for such further time as may be provided in said contract; such joint meeting may meet and adjourn from time to time, as it may deem advisable, during the progress and continuance of the work of such public improvements and until the completion thereof, as such joint meeting may determine; each municipality, through its body or board represented in such joint meeting, shall be entitled to one vote therein on all motions, resolutions, appointments and all other proceedings taken in or by such joint meeting subject to the qualifications hereafter specified, and such vote shall be cast and announced as directed by a majority of all the members of such municipal body or board; a majority of the municipalities so contracting when represented as aforesaid in such joint meeting, shall constitute a quorum for the transaction of business;

Organization.

Employes.

Voting.

All acts of joint meetings to be concurred in by governing boards.

but no motion or resolution of such joint meeting under or by virtue of this or any other section of this act shall be deemed or taken to be carried, and no election, appointment or other action of said joint meeting shall become operative or binding on said joint meeting, or any of said municipalities, unless concurred in by the body or board, or bodies or boards, of such contracting municipality or municipalities represented, or entitled hereunder to be represented in said joint meeting as by the ordinance adopted as aforesaid are directed to pay twenty-five per cent. (25%) or more of the total cost, damages and expenses of the improvements as specified in said contract and the ordinances authorizing the execution thereof, and said joint meeting is hereby authorized to adopt and make rules of order governing the proceedings of such joint meeting, and rules for the government of the officers, agents and servants employed or appointed by the same; all proceedings and official action whatsoever, necessary to be taken under the contract or contracts for such public improvements made by municipalities under this act, shall be taken and had by such joint meeting exclusively, except in matters relating to the raising and paying of the money provided to be paid by the contracting municipalities in the contract to be made and entered into thereby, pursuant to the provisions of this act, and in all such last-mentioned matters each contracting municipality shall act in its separate corporate capacity, as provided in such contract or by this or other laws of this State applicable to such municipality; all actions and proceedings of the said joint meeting, pursuant to such contract between them, shall be considered and construed to be done by or under authority of the respective municipalities contracting and represented in such joint meeting, and the official actions of such joint meeting, taken in the matters aforesaid, and not contrary to the provisions of this act, shall be obligatory and binding upon all such contracting municipalities in their corporate capacity, but no such municipality shall be liable for more than its proportionate share of the cost and expenses of said improvement or

Where corporate action necessary.

Actions, contracts, etc., obligatory.

works as fixed by said joint contract; such joint meeting shall provide a proper meeting-room in which to hold its meetings, and shall also provide proper rooms or buildings for the transaction of the business of its officers, agents and servants, and such joint meeting shall be authorized to contract for the payment of the necessary rent of such meeting-room or offices or other rooms or building necessary for its business and the safe keeping of its property, and to accomplish its objects; the chairman, secretary and treasurer of such joint meeting, and such other officers or servants thereof as may be required by such joint meeting, before entering upon the discharge of their duties, shall each take and subscribe, before a master in chancery of this State, an oath or affirmation to faithfully and impartially discharge the duties of his office to the best of his skill and understanding, and, if required, shall each enter into bond, with satisfactory surety, to the municipalities jointly contracting, in such sum as may be fixed by such joint meeting; the said joint meeting may fill vacancies occurring at any time in the offices or positions under its control; the secretary and treasurer and other officers of such joint meeting, except the chairman, need not be members of any municipal board represented therein.

Official accommodations.

Oath of office.

Bond.

4. The said joint meeting acting on behalf and in the corporate names of the several municipalities jointly contracting with each other regarding the public improvements or works authorized to be jointly made under the provisions of this act, and represented in such joint meeting, shall have full power, in the joint name of all contracting municipalities, to purchase and acquire all lands, rights or interests in land which may be deemed necessary for such public improvements or works, and to enter into any and all contracts necessary or proper for the providing, maintaining and operating of the same, with such changes or alterations as may be found convenient or necessary in the progress of the work; all proceedings at law or in equity relating to the doing of the work of the said public improvements authorized by this

Powers of joint meeting.

act, and necessary or proper to accomplish the purposes contemplated by the provisions of this act, shall be instituted or taken and conducted in the joint corporate names or titles of all the municipalities contracting for such public improvements, and when authorized or approved by the joint meeting herein provided for, shall be deemed, taken and construed to have been taken and done for the proportionate benefit of all such contracting municipalities in accordance with the terms of the contract between them; all contracts, sub-contracts, bills, estimates, measurements and all payments of money whatever, relating to or growing out of the public work or improvement hereby authorized, shall, before becoming effective or binding, be approved by a majority vote of such joint meeting, in like manner as in case of motions or resolutions referred to in section three of this act; said joint meeting shall at all times keep full and accurate account of its receipts, expenditures, disbursements, assets and liabilities; an itemized or detailed statement in writing to be approved by such joint meeting and signed by the chairman and secretary of such joint meeting, and countersigned by the treasurer thereof, shall be made and rendered at least once in each month, to each municipal body or board in its corporate name, represented in such joint meeting; such itemized or detailed statement shall include all obligations incurred since the date of the last preceding statement in or about such public improvement, or in anywise connected therewith, and shall set forth the amount, the date when payable, name of person to whom and for what payable, the total sum to be paid by each of such municipalities pursuant to the percentage fixed in the said contract between them, and such other matters as the joint meeting may deem advisable or important to include therein; all sums of money to be paid respecting said improvement or in any way relating to or arising out of the same shall be promptly paid by the several municipalities contracting, according to the percentage fixed in such contract, to the treasurer of such joint meeting, and be by him disbursed according to such statement.

Contracts, etc., subject to approval.

Accounts kept.

Monthly statements.

Prompt payments.

Joint sewage disposal plant.

5. It shall be lawful for the municipalities jointly contracting as herein provided, after the making of a contract pursuant to ordinance herein authorized and adopted as aforesaid, to jointly provide a system of conveying or conducting sewage from said several municipalities from a point or points to be agreed upon to a common destination or disposal plant or plants by means of outlet or trunk sewer or sewers or otherwise, and to jointly provide a sewage disposal plant or plants within the limits of the municipalities so contracting as aforesaid, or any of them, in whole or in part, or in whole or in part within the limit of any of other municipality or municipalities of this State, and provide all necessary trunk or outlet sewer or sewers, with all necessary appurtenances leading to such sewage disposal plant or plants, and for this purpose to pass through or partly through territory and under, along and across the public streets or highways therein situate within the bounds of any other municipality, in such way and manner, however, as not unnecessarily to obstruct or impede travel, and said municipalities may enter upon and dig up any road, street, highway or private or public land for the purpose of constructing such outlet or trunk sewer or sewers and appurtenances and for repairing and maintaining the same, and may alter or change the location or grade of any highway, public street or way crossed or intercepted by such outlet or trunk sewer or sewers and appurtenances, constructed under the provisions of this act, and in general may do all other acts and things necessary, convenient and proper in connection with the making and maintaining of the improvements contemplated by the provisions hereof; *provided, however,* that such trunk or outlet sewer or sewers shall not be laid or constructed under and along any such public street or highway, nor shall the location or grade thereof be altered or changed without the consent of any such other municipality, and such street, highway or public place shall be, so far and as soon as possible, restored to its original condition at the proper cost of the municipalities jointly contracting, and for whose benefit the work is done; *provided further, however,* that such

Sewers leading to plant.

Proviso.

Proviso.

jointly contracting municipalities shall not build or operate such sewage disposal plant or plants except under such conditions as shall be approved by the State Board of Health.

May contract with other municipalities for use of system.

6. In case the municipalities so jointly contracting as herein provided shall, at any time after the execution of such joint contract, deem it expedient so to do they may contract with any other municipality or municipalities, through or over whose territory or any part thereof such outlet or trunk sewer or sewers are intended to pass, for the construction of such outlet or trunk sewer or sewers and appurtenances located within the territory of such other municipality, in such manner as may be agreed upon between such other municipality and the municipalities theretofore jointly contracting as herein authorized; or such jointly contracting municipalities may contract in writing with any other municipality or municipalities for the privilege of connecting its or their sewers and drains with such outlet or trunk sewer or sewers so to be jointly constructed by the municipalities originally contracting for the public improvements or works hereby authorized, and it shall be lawful for such other municipality or municipalities to enter into a contract for such purpose, upon such terms and for such consideration and length of time as may be mutually agreed upon between all the contracting municipalities.

Proceedings by resolution.

7. Whenever a joint contract shall be made and entered into in writing and duly executed by two or more municipalities under the provisions of section two of this act, all acts and proceedings which may be necessary to be thereafter taken by such municipality, collectively in joint meeting, or singly in their corporate capacity, relating to said public improvements or works, may be taken by resolution and not by ordinance.

Advertisement of proposed ordinances.

8. No ordinance authorizing the making of a contract in writing, between municipalities for any public improvement or works, under the provisions of this act, shall be passed by the governing body or board of such municipality, until public notice shall be given in a newspaper published or circulating in such munici-

pality, of the intention of such municipal or governing board or body to join in such public improvement, and to that end it shall be the duty of the clerk of such body or board, by direction of such body or board, to give such notice; the notice shall briefly describe the improvements proposed, which description may be made by reference to the proposed ordinance or other documents on file in the office of the clerk of such municipality, and shall request such persons as may object thereto, to present their objections in writing at the office of such clerk and file the same with him, at or before the expiration of twenty days from the date of the said notice, or to the said governing body or municipal board at its first meeting held after the expiration of said twenty days, and said governing body or board of such municipality may, at such meeting or afterwards, proceed to consider and pass such ordinance, notwithstanding any objections, and thereafter the proceedings of such body or board regarding said ordinance shall be the same or as nearly as may be as like proceedings regarding ordinances authorized to be passed by such body or board for the construction of sewers within such municipality,

Objections requested.

9. At any time after the execution of a contract by and between two or more municipalities in this State for any of the improvements or works authorized by this act, and whenever such joint meeting of the municipalities shall deem it necessary, it shall be lawful for such municipalities, through the action by resolution of such joint meeting, to take and appropriate for the purposes of such improvements, by purchase or right of eminent domain, any rights of way, lands and real estate, either within such municipalities or any or either of them or beyond the limits of any of the same, and such contracting municipalities are hereby fully authorized to jointly treat with the owners thereof for the same; and such municipalities acting in joint meeting as aforesaid may jointly secure the rights of way or purchase said lands and real estate from the owners of the same, and agree to make such compensation therefor as such joint meeting may deem reasonable, and

Acquire land, right of way, etc., by purchase or condemnation.

New Jersey State Library

shall receive from such owner or owners a conveyance of such rights of way, lands and real estate in the joint corporate names or titles of such contracting municipalities.

Laws governing procedure.

10. If in any case the said contracting municipalities shall be unable to agree with the owner or owners of any rights of way, lands or real estate deemed necessary by the said joint meeting of the said contracting municipalities in the making of any such public improvement as is hereby authorized and is provided for in the contract between them, or when by reason of legal incapacity or absence of the owner or owners or otherwise no agreement can be made for the purchase thereof, the rights of way, lands or real estate so deemed necessary for the purposes aforesaid may be acquired by the said contracting municipalities in their joint names upon their joint application in the manner now or hereafter provided by the general laws of this State relating to the condemnation of lands for public uses.

Application for commissioners to assess benefits.

11. Immediately upon the completion of the work, or of a definite part thereof, the governing bodies or boards of the municipalities jointly contracting for said public improvement shall meet in joint meeting as in this act provided, and shall, by resolution, ascertain and declare the whole amount of the costs, damages and expenses of such public improvement, or any part thereof, and of all appurtenances or connections of the same, and of all matters or things connected therewith so far as the same are completed; and of the several amounts thereof to be apportioned to the contracting municipalities respectively, pursuant to the contract and ordinance authorizing the same as aforesaid; and each of the said municipalities jointly contracting as aforesaid shall, without delay, severally apply to the circuit court of the county in which such municipality is situate, for the appointment of three disinterested commissioners to make a just and equitable assessment of the whole amount of the costs, damages and expenses of such improvement apportioned to it as aforesaid as ascertained and declared as aforesaid upon all the own-

ers of lands and real estate in such municipality fronting on such improvement which are peculiarly benefited by such public improvement, in proportion as nearly as may be to the advantages each shall be deemed to acquire; the said application shall be in writing, and after notice of the time and place of making such application, published at least ten days previous thereto in some newspaper published or circulating in such municipality wherein such lands and real estate are situate, and at the time fixed in said notice, or at such time to which the said application may be from time to time adjourned, the said court shall appoint three disinterested commissioners to make such assessment for benefits as aforesaid; in case of the death, resignation, refusal to serve or disability of any commissioner so appointed, the vacancy shall be filled by said circuit court as soon as may be; and no benefits shall be assessed in respect of the cost of any improvement or work in so far as such improvement or work extends beyond the line of the whole property assessed, but the cost thereof shall be assessed upon and paid by the respective contracting municipalities in accordance with the apportionment of the percentage of the costs, damages and expenses of said improvement provided to be borne and paid by them respectively in the contract made and entered into between them as authorized by ordinance as aforesaid.

Nature of application.

12. The said commissioners before they enter upon the execution of their duties shall severally take and subscribe an oath or affirmation before a master in chancery of this State to make such assessment fairly and impartially, according to the best of their skill and judgment, and thereupon shall at once proceed to perform the duties hereby imposed upon them, and they shall, within sixty days, unless the court shall, before or after its expiration, extend the time, make a just and equitable assessment of the costs, damages and expenses of said improvements, or any part thereof, as aforesaid, upon the lands and real estate located in any of the territory of such municipality fronting on said improvements, which are peculiarly benefited thereby,

Oath of commissioners.

Assessment made.

in proportion, as nearly as may be, to the advantage each shall be deemed to acquire.

Report of commissioners.

13. Said commissioners shall make a report, in writing, of their assessment, signed by them, or any two of them, to said Circuit Court, and upon the coming in of such report, signed by said commissioners or any two of them, the said court shall cause such notice to be given by advertisement or otherwise, as it shall direct, of the time and place of hearing any objection that may be made to such assessment, and after hearing any matter which may be alleged against the same, it shall, by rule or order, either confirm the said report or refer the same to the same commissioners for revision or correction, or to new commissioners to be appointed by it, or it may itself, upon a hearing had before it, modify or alter such report, and any assessment of benefits made therein, in such manner as to it may seem just; and the said commissioners to whom the said report may be so referred shall return the same corrected and revised, or make a new report, and the same on being so returned shall be confirmed or again referred, or may be modified or altered by said court as aforesaid, and so from time to time until a report shall be made or returned which the said court shall, with or without alteration, confirm; and such report when so confirmed shall be final and conclusive, as well upon such municipality as upon the owner or owners of any land affected thereby.

Hearing on report.

Confirmed report final.

Expenses of assessment.

14. The said circuit court shall settle and determine the compensation to be paid to said commissioners and the costs and expenses of the application, report and proceedings, and such municipality shall immediately pay the said costs and expenses as directed by the said circuit court.

Clerical errors not to invalidate assessment.

15. No mistake in naming or omitting to name the owner of lands or real estate in any report, map or proceeding, or in designating the quantity of his or her interest or the nature of his or her estate, or any misrecitals, shall in anywise invalidate any assessment or sale made under this act.

Assessments a lien.

16. The assessments for benefits made under this act shall be a lien upon the lots or parcels of land and real estate respectively assessed from the date of the ratification or confirmation of the report thereof, and shall be immediately due and payable to the collector or receiver of taxes or other chief financial officer of the municipality wherein the same are situate, and it shall be the duty of the governing body or board of such municipality to forthwith furnish the proper municipal financial officer of such municipality with a certified copy of such assessment, which said official shall enter in a book to be kept in his office for that purpose, and thereupon he shall give notice for two weeks in a newspaper circulating in such municipality, to be inserted therein once, at least, in each week, stating that said assessment report has been delivered to him, and requiring payment of the sums assessed within sixty days from and after the first publication of said notice, and in case said assessment shall remain unpaid at the expiration of sixty days from and after such first publication, the said assessment shall draw interest thereon from that time at the rate of one per centum per month; and it shall be the duty of said municipal official to proceed in the collection of said assessment by a sale of the land in such municipality in respect of which such assessment may have been made, after the expiration of two years.

Payment of assessments.

Sale of land after two years.

Notice of sale.

17. The said collector or receiver of taxes or like financial officer of the municipality in which any such lands are situate shall thereupon give a second notice, by advertisement in a newspaper printed or circulating in such municipality, that unless such assessment, with interest thereon as aforesaid, and all costs and fees shall be paid to him at his office within thirty days after the first publication of said second notice, he shall proceed, at a certain time and place therein specified, between the hours of one and five o'clock in the afternoon, to make sale, in accordance with the provisions of the laws governing such matters and applicable to such municipality, of the said lands and real estate situate therein whereon said assessment shall have been imposed or may be a

lien; said second notice shall be published in said newspaper at least four weeks successively, at least once in each week, and shall contain a brief abstract of said assessment, showing the name of the owner or owners when known, a brief description of said lands and real estate and the amount of unpaid assessments due thereupon. It shall be lawful to incorporate more than one assessment in said notice.

Auction of lands.

18. At the time and place, and between the hours mentioned in said notice, the said collector or receiver of taxes or other like financial officer of such municipality shall proceed to sell at public auction the several parcels of land and real estate upon which the said assessments shall remain due and unpaid, for the lowest terms of years, but in no case exceeding fifty years, for which any person will take the same and pay the amount of such assessment, with the interest thereon as aforesaid, and all costs and fees, including the expense of advertisement and sale; such payment shall be made by the purchaser before the close of the sale, and if not so made the official making such sale may resell the property or the municipality may have its action against the purchaser for the payment of the whole amount due, with interest thereon as aforesaid; such sale may be adjourned from time to time, at the discretion of the official making the same, until all the said lands and real estate in such municipality shall have been disposed of, and such parcels as are not bid for when offered for sale or resale shall be struck of to such contracting municipality for a term of fifty years.

Conditions of sale.

Unsold lands struck off to municipality.

Subsequent procedure according to municipal provisions.

19. All proceedings subsequent to such sale, including those relating to the certificates and declarations of sale, and the record and cancellation thereof, the rights of and notices to mortgages, rights of redemption and cancellation of records, and respecting all other matters and things connected therewith or arising out of such sale, shall, as nearly as may be, be done, conducted and had in accordance with and pursuant to the provisions of the laws of this State applicable to like matters and things in the municipality wherein such sale shall be made as aforesaid.

Temporary loans to defray expenses.

20. For the purpose of defraying the costs and expenses of such public improvement as is authorized hereby in respect of which an assessment for benefits may be made on lands and real estate situated in any such contracting municipality, the governing body or board having charge of the finances of any such contracting municipality may, if necessary, borrow money and secure the payment of the same by the notes or other temporary obligations of such municipality; these notes and obligations may be renewed from time to time until such improvement or works be completed or the assessment for benefits confirmed; when so confirmed the said governing body or board of such municipality shall provide for the costs and expenses of such improvements in the manner hereinafter mentioned.

Renewal of obligations.

21. If a sum equal to or greater than the amount assessed for benefits has already been borrowed by such municipality at the time when such improvements are completed or assessments for benefits confirmed, and the payment of the sums so borrowed has been secured by notes or other temporary obligations of the municipality, then such notes and obligations, to an amount equal to the amount so assessed for such benefits, may be renewed from time to time as far as necessary for a period of five years longer, and all moneys paid in on such assessments during that period shall be exclusively devoted to the payment of and shall be used to pay said notes and obligations as they mature; if the amount so borrowed as aforesaid be less than the amount assessed, the said governing body or board of such municipality may, if necessary, borrow and issue its temporary obligations for such additional sum as with the amount already borrowed will equal the amount assessed; and the indebtedness of the municipality, in whatever form it may exist, shall, to the amount of the assessment, be paid and discharged out of the moneys paid in on such assessments, so far as they may be paid in during said period of five years; if, at the expiration of said period of five years, the said indebtedness, so equal in amount to the benefits assessed, be not paid in full, then such governing body or

Indebtedness discharged by assessments paid in.

Bond issue for amount unpaid.

board, in order to provide for its payment, shall issue the bonds of such municipality for the amount remaining unpaid, which bonds may be registered or coupon bonds, payable in the manner hereinafter provided; and all assessments received by such municipality, after said period of five years, shall go into the treasury and be used as the body or board having control of the finances of such municipality may direct.

General bond issue.

22. In order to provide for and pay the amount of the difference between the total amount of the costs, damages and expenses of said improvements, including all incidental expenses apportioned to said contracting municipalities respectively as aforesaid, and the total amount of all assessments made and levied for benefits as aforesaid in such municipalities respectively, and on the lands and real estate situated therein, it shall be lawful for the governing body or board of each contracting municipality, by resolution duly adopted, to cause to be issued the bonds of such contracting municipality, in such sum as will be sufficient to pay the share or percentage of such total amount due therefrom, and provided to be paid by the contract entered into by such municipality; such bonds may be registered or coupon bonds, payable in the manner hereinafter provided, and

Time.

may mature in such time or times not exceeding forty years from date of issue as the governing body or board of said municipality shall determine; these bonds shall

Use of bonds.

be used (1) to discharge the notes or temporary obligations of the municipality issued as aforesaid, so far as they exceed in amount the assessment for benefits, (2) to satisfy and discharge whatever may remain due from such contracting municipality on the costs and expenses of the work or improvements, according to the contract entered into between such municipalities.

Sinking fund.

23. In order to provide for the retirement of said bonds at maturity the governing body or board of each contracting municipality may, by resolution duly adopted, provide a sinking fund for the retirement of said bonds at maturity, which sinking fund shall be provided

Amount annually raised.

by making an annual appropriation, to be raised by tax annually, of an amount which calculated at compound

interest at three and one-half (3½) per centum per annum, shall be sufficient to pay the principal of said bonds as they fall due; or, in lieu thereof, the said bonds may be made payable in successive years beginning not not more than three years from the date of issue and ending not more than forty years from said date; they may be made to mature in such amounts as the said governing body or board may determine, and in thus arranging their maturity regard may be had to bonds already issued for public improvements of any character in such municipality and also to bonds which will probably be required for improvements actually contemplated but not yet authorized.

Bonds may be issued for whole amount.

24. In case there be no assessment for benefits in any of the said contracting municipalities, then the body or board of such municipality having charge of its finances may issue the registered or coupon bonds of such municipality to an amount sufficient to defray its part, share or percentage of all costs, damages and expenses of the said improvements, or of any contract relating thereto, entered into by it jointly with the other contracting municipalities, pursuant to the provisions of this act, said bonds to be payable in the manner fixed by such body or board having charge of the finances of such municipality, not inconsistent with the provisions of this act, regard being had to the bonds already issued for completed improvements and to the bonds which will probably be required for improvements actually contemplated but not yet authorized to be issued.

Rate; other conditions.

25. The notes or other obligations of such municipality herein authorized to be issued, shall bear interest at a rate not exceeding six per centum per annum; they shall not be sold for less than par or face value, and they shall not be issued to an amount at any time exceeding ten per centum of the valuation of the taxable property in such municipality as shown on its official books at the date of such issue, such ten per centum to include any and all bonded indebtedness that may be outstanding against such municipality; said notes and obligations shall be signed by the mayor or acting mayor, or chairman or president of the govern-

ing body or board or chief officer of such municipality and the clerk of the same, as may be directed by resolution of the body or board having control of the finances of such municipality, and shall be issued under such regulations and restrictions as such body or board shall deem proper.

Provision for interest, etc.

26. It shall be lawful for the governing body or board having control of the finances of any municipality contracting with any other municipality or municipalities, pursuant to the provisions of this act, to raise by tax in each year, as other moneys are raised in such municipality, such sum of money as may be necessary to pay the interest on the notes and other obligations of the municipality issued as aforesaid, including, when necessary, interest on such of its obligations as may be payable out of the proceeds of assessments, and also the principal of such bonds, except obligations payable out of assessments and temporary obligations issued as aforesaid, as may mature during the then eusuing fiscal year.

Municipalities may settle by direct payment.

27. It shall be lawful for the said governing body or board having control of the finances of such contracting municipality, in lieu of issuing the bonds of such municipality, to pay its proportion of the costs and expenses of any improvements jointly contracted for and made under this act, with money to be raised by taxation, after the making of the public improvements herein authorized have been determined upon and a joint contract made and entered into pursuant to the provisions of this act, or by paying the whole or part of such indebtedness out of all moneys belonging to such contracting municipality not otherwise appropriated or required.

Proposals invited.

28. Whenever any work to be performed or materials to be furnished in or about any improvement to be made under the provisions of this act shall involve an expenditure of any sum of money exceeding five hundred dollars, the municipal bodies or boards of the contracting municipalities, by their official action taken in joint meeting as herein provided, shall designate a time when they will meet at their usual place of meeting to receive proposals, in writing, for doing the work or

furnishing the materials, and such joint meeting shall order the chairman and secretary thereof to give notice, by advertisement inserted in one or more newspapers published and circulating in the municipalities jointly contracting, at least two weeks before the time of such meeting, of the work to be done or materials to be furnished, of which at the time of such order they shall cause to be filed in the office of such joint meeting particular specifications; all proposals received shall be publicly opened by such chairman in the presence and during a session of such joint meeting, and of all others who choose to attend the said meeting; not more than one proposal shall be received from any one person, directly or indirectly, for the same contract work or materials; and the said joint meeting may reject any and all of said proposals and direct its chairman and secretary to advertise for new proposals and accept such as shall in the opinion of a majority of the municipalities represented in said joint meeting be deemed most advantageous for the said municipalities, subject, however, to the reservations herein provided; the proposal so accepted shall be reduced to a contract in writing, and a satisfactory bond to be approved by such joint meeting shall be required and given for its faithful performance, but all contracts when awarded shall be awarded to the lowest responsible bidder offering satisfactory security; this section shall not apply to any engineer or agent of the joint contracting municipalities engaged in supervising or directing the work of such improvements.

Bids opened publicly.

Bond to ensure contract.

29. No certiorari shall be allowed by any court to review any of the proceedings in relation to such improvement or any assessment made by such commissioners after the lapse of thirty days from such proceedings respectively all from the making of the order of the court confirming such assessment.

As to certiorari.

30. The owner of any land adjacent to any plant, works or stations for the treatment, disposal or rendering of sewage, established pursuant to the provisions of this act, who shall sustain any direct injury by reason of the negligence or lack of reasonable care of said con-

Adjacent property owners may maintain action in tort.

tracting municipalities, or any of them, in the establishment and maintenance of any such plant, works or stations for the treatment, disposal or rendering of sewage, may maintain an action in tort, within two years from the commencement of such injury, for the recovery of all damages which he may have suffered by reason of any such injury.

"Joint meeting" defined.

31. The words "joint meeting" as used in this act shall be construed to mean the meeting or assembly of the members of the governing bodies or boards of the several municipalities having authority to make and enter into a contract for the construction jointly of public improvements, pursuant to and by virtue of the provisions of this act.

Repealer.

32. All acts and parts of acts, general, local or special, contrary to the provisions of this act, are hereby repealed, and this act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 113.

An Act to provide for connecting the sewage and drainage of any county hospital with a sewer or drain now existing or hereafter to be constructed.

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

Connecting sewers for hospitals.

1. Whenever any board of chosen freeholders of any county in this State has built or shall hereafter build any hospital for contagious or other diseases, and it shall be found necessary for the proper health of the hospital, or for the contiguous territory, to lay any sewers or drains for the proper discharge of the sewage of said hospital, it shall be lawful for the board to lay such sewers or drains on any road, in any township, town, borough or city in this State to connect with any sewer or drain that may exist or may be hereafter con-

structed under the provision of any law of the State of New Jersey; *provided, however,* that whenever said board of freeholders shall dig up any road or roads for the purpose of laying such sewers or drains or repairing the same said board shall restore said road or roads in which such sewers or drains are laid to a condition as good as before operations were begun. Proviso.

2. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 114.

An Act regulating the tenure and terms of office of officers and men employed in police department of any village.

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

1. In any village of this State the officers and men employed in the police department shall severally hold their respective employment as such municipal officers and employes during good behavior, efficiency and residence in any such village, and no person shall be removed from office or employment in the police department of any such village for political reasons or for any other cause than incapacity, misconduct, non-residence or disobedience of just rules and regulations established or which may be established for the police force or police department of any such village who shall be absent from duty without just cause for the term of five days, shall, at the expiration of said five days, cease to be a member of such police force. Tenure of village police.

2. Each member and officer of the police force of any such village shall be a citizen of the United States and a resident citizen of the municipality in which he is appointed, able to read and write the English language Requirements.

understandingly, and he must be of good moral character and of good health and sound body.

Age.

3. No person shall be appointed an officer or member of the police force in any such village who is less than twenty-one years or over fifty-five years of age at the time of his appointment.

As to removal on charges.

4. No person, whether officer or employe, in the police department of any such village, shall be removed from office or employment therein, except for just cause, as provided in the first section of this act; then only after written charge or charges of the cause or causes of complaint shall have been preferred against any such officer or employe, signed by the person or persons making such charge or charges, and filed in the office of the board or commissioner having charge of such police department in which the complaint arises, and after the said charge or charges have been publicly examined into by the appropriate board or commission, upon reasonable notice to the person charged, it being the intent of this act to give every person against whom charges for any cause may be preferred under this act, a fair trial upon said charges and every reasonable opportunity to make his defense, if any he has or chooses to make; and the board or body having power to try such charges shall have the power to issue writs of subpœna to compel the attendance of witnesses, which writs shall be served in the same manner as subpœnas issued out of the court for the trial of small causes, and every person who neglects or refuses to obey the command of such writs shall be liable to penalty of twenty-five dollars, to be sued for in the corporate name of the village where the violation occurred in any court of competent jurisdiction, and the penalty, when collected, shall be paid into the treasury of the village so suing.

Trial.

Witnesses.

5. This act shall take effect immediately.

Approved April 7, 1910.

CHAPTER 115.

A Supplement to an act entitled "An act to provide for the drainage of any pond, artificial reservoir, marsh, swamp, bog, meadow, low or wet lands, where the same is necessary for the public health," approved March thirty-first, one thousand nine hundred and three.

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

May acquire adjacent lands to further benefits of drainage.

1. In the event of commissioners, appointed pursuant to the provisions of the act to which this is a supplement, discovering during the performance of the duties imposed upon them by said act and the supplements thereto, that the work then in progress will not be successful or complete unless other lands adjacent to those in the original petition described are drained because unhealthy, or will be benefited by the work then being performed by the commissioners, then in either or all of the aforesaid cases, the commissioners may present to the judge of the Court of Common Pleas of the county within which said lands lie, a duly verified petition setting forth the existence of one or more of the foregoing conditions and describing the lands sought to be annexed to the original drainage territory, and showing the same to be adjacent thereto and over which the said commissioners should have jurisdiction to drain or levy assessments, because of special benefits thereto, or both, which petition shall set forth the names of the owners or lienors if any, the said judge shall issue an order to show cause, returnable in not less than thirty days, directed to the owners and lienors of the lands sought to be included in said drainage district, requiring them, at the time and place in said order named, to show cause why the said lands in said petition described should not be included in the drainage

Petition.

Order to show cause.

territory of said commissioners, a copy of which order shall be served personally on the said owner, or lienor, or left at his usual place of abode if resident of the county wherein said lands lie, at least twenty days prior to the return day thereof, and by mailing a copy of said order to show cause to the last known post-office address of such owner and lienor not so residing in said county, with full postage paid thereon.

Service.

Hearing.

2. Upon the return day of said order to show cause, if it be made to appear to the judge that the same has been served in the manner provided in and by the first section of this supplement, then he shall proceed to hear all parties interested and if, after such hearing, the said judge shall find that the lands described in said petition, or some part thereof, should be included within said drainage district and that the jurisdiction of said commissioners should be extended to include said lands or some part thereof, then he shall make an order annexing such lands to the lands or territory described in the original petition in the matter, then and in that case the jurisdiction of said commissioners shall be extended to said annexed territory with the same force and effect in all things as though the lands so annexed had originally been included within the territory described in the original petition.

Order of annexation.

Repealer.

3. 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 April 7, 1910.

CHAPTER 116.

An Act to authorize villages or townships or municipalities governed by boards of commissioners or improvement commissions to acquire lands by purchase or condemnation, and erect buildings thereon for public offices and other municipal uses, and to furnish the same, and to issue bonds to provide for the expense of such acquisition and improvements, and to provide by tax for the payment of the principal of and interest on said bonds.

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

Acquire lands for municipal uses.

1. The governing body of any village or township, or of any municipality governed by a board of commissioners or an improvement commission, within this State, shall be authorized to acquire lands by purchase or condemnation, and to erect thereon a building or buildings for public offices and other municipal uses and purposes, and to furnish the same, whenever the issuance of bonds to provide for the expense of such acquisition and improvement shall have been authorized by a majority of the votes cast at an election held in such village, or township, or municipality governed by a board of commissioners or an improvement commission, as hereinafter provided.

Procedure to acquire land.

2. Whenever in the judgment of the governing body of any village or township, or of any municipality governed by a board of commissioners or an improvement commission, it shall be advisable to acquire lands and erect thereon and furnish a building or buildings for use as public offices and for other municipal uses and purposes, the said governing body may, by resolution adopted by a majority of the members thereof, fix the amount of bonds deemed by them advisable to be

issued to provide for the cost of such acquisition and improvement, direct a special election to be held to authorize the issuance of such bonds, and designate the time and place, or places, for holding such election.

Notice of special election.

Notice of such election shall be given by posting copies of such resolution in three public places in such village, or township, or municipality governed by a board of commissioners or an improvement commission, at least fifteen days before the date fixed for such election, and by printing such resolution once in each week for two successive weeks in one or more newspapers published in such village, or township, or municipality governed by a board of commissioners or an improvement commission, if any such newspaper exists, or if there be none, then in a newspaper published in the county.

Registration.

There shall be no registration for such election, but the board or boards of election shall procure and use at such election a certified copy of the register of voters used at the last preceding general election, and no person shall be entitled to vote whose name does not appear on such register, unless such person shall appear before the board and satisfy said board by affidavit, which the said board hereby is authorized to take, that such person has acquired the right of suffrage in said election district since said registration was made.

Election, how conducted.

The polls shall be kept open for the time provided by law for general elections, and such election shall be in all respects conducted and the vote canvassed in the manner provided by law for general elections, except as

Ballots.

herein otherwise provided. The ballots used at such election shall be unofficial, and shall have printed or written thereon either the words "For the issue of bonds," or the words, "Against the issue of bonds." No official envelopes shall be required.

Bond issue.

3. Whenever at such election a majority of all ballots cast shall be "For the issue of bonds," it shall be lawful for such governing body from time to time to issue and sell bonds of such village, or township, or municipality governed by a board of commissioners or an improvement commission, in such amount or amounts as they may deem necessary, not exceeding in the aggregate the amount stated in the resolution call-

ing such slection. Such bonds shall be designated on their face "Municipal Building Bonds," shall be of such denominations, bear such rate of interest, not exceeding five per centum per annum, and the principal thereof shall be payable at such places and at such times not exceeding thirty years from their date, and said bonds shall be in such form, either registered or coupon, and be executed in such manner, and shall be sold at public sale, for not less than par and accrued interest, as said governing body shall by resolution determine.

Rate.

Time.

All such bonds shall recite that they are issued in pursuance of this act and of such election, and shall set forth the date of such election, which recital shall be conclusive evidence of their validity and the regularity of their issuance. The proceeds resulting from the sale of such bonds shall be applied by said governing body toward defraying the expense of acquiring lands, and erecting thereon and furnishing a building or buildings for use as public offices and other municipal uses and purposes.

Recital in bonds.

4. The governing body of such village, or township, or municipality governed by a board of commissioners or an improvement commission, issuing bonds under the authority of this act, shall provide for a sinking fund which it shall deem sufficient to retire said bonds at maturity, into which fund shall be paid annually an amount not less than two per centum of the principal of said bonds, to be raised by special tax, assessed, levied and collected with the other taxes of such village, or township, or municipality governed by a board of commissioners or an improvement commission; and there shall likewise be raised by taxation each year, until the payment in full of said bonds, an amount equal to the interest payable on said bonds in such year.

Sinking fund.

5. Whenever the governing body of any such village, or township, or municipality governed by a board of commissioners or an improvement commission shall be authorized as hereinbefore provided to acquire lands, and shall decide that it is advisable to acquire any particular lands, and shall be unable to agree with the owner or owners thereof as to the price and terms of purchase, or by reason of any legal disability or of the

May acquire lands by condemnation proceedings.

absence of any owner or owners of said lands, or for any other cause, shall be unable to enter into an agreement for the purchase of said lands or any part thereof, then such governing body may cause said lands, or any part thereof, or any rights or interests therein, to be condemned and taken on behalf of such village, or township, or municipality governed by a board of commissioners or an improvement commission, and the compensation to be made therefor shall be ascertained and paid or tendered in the manner provided in an act of the Legislature of the State of New Jersey 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, or as may be hereafter provided by law.

Interpretation of act.

6. The powers conferred by this act shall be deemed to be in addition to and independent of any and all powers and authority conferred by any other law or laws, and not subject to any limitation contained in any such other law or laws.

7. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 117.

An Act to authorize villages or townships or municipalities governed by boards of commissioners or improvement commissions to acquire lands for public parks by purchase or condemnation, and to improve the same, and to issue and sell bonds to provide for the cost of such acquisition and improvement, and to provide by tax for the payment of the principal of and interest on said bonds.

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

Acquire lands for park purposes.

1. Whenever the governing body of any village or township or of any municipality governed by a board

of commissioners or an improvement commission within this State shall deem it advisable to acquire any lands for use as a public park, or as an addition to any existing public park therein, said governing body may purchase said lands, or if said governing body is unable to agree with the owner or owners thereof as to the price and terms of purchase, or if, by reason of any legal disability or of the absence of any owner or owners thereof, or for any other cause, an agreement for the purchase of said lands, or any part thereof, or any rights or interests therein, cannot be made, then said governing body may cause said lands, or any part thereof, or any rights or interests therein, to be condemned and taken on behalf of such village or township or municipality governed by a board of commissioners or an improvement commission; and the compensation to be made therefor shall be ascertained and paid or tendered in the manner provided in an act of the Legislature of the State of New Jersey 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, or as may hereafter be provided by law; and said governing body may cause any lands so acquired to be laid out and improved as a public park or parks.

By purchase or condemnation.

2. The governing body of any village or township or of any municipality governed by a board of commissioners or an improvement commission of this State may, from time to time, by resolution, provide for the issuance of bonds of such village or township or municipality governed by a board of commissioners or an improvement commission, to an amount not exceeding in the aggregate one-half of one per centum of the assessed valuation of taxable property in such village or township or municipality governed by a board of commissioners or an improvement commission according to the last assessment for taxation. Said bonds shall be designated on their face "Park Bonds," and shall be of such denomination, bear such a rate of interest not

Bond issue.

Amount.

Rate; time.

exceeding five per centum per annum, and be payable at such places and at such times, not exceeding thirty years from their date, and be in such form, either coupon or registered, and be executed in such manner as said governing body shall by said resolution determine; said bonds shall recite that they are issued pursuant to the authority of this act and of said resolution, which recital shall be conclusive evidence of their validity and the regularity of their issuance; and said bonds shall be sold at not less than their par value, at public sale, after such advertisement of sale as said governing body shall direct; and the proceeds resulting from the sale of any such bonds shall be applied, by or under the direction of said governing body, to the cost of acquiring any land or lands, or any rights or interests in lands, theretofore or thereafter acquired under the authority of this act and of the improvement of any such lands as a public park or parks.

Proceeds, how used.

Sinking fund.

3. The governing body of any such village or township or municipality governed by a board of commissioners or an improvement commission issuing bonds under the authority of this act shall provide for a sinking fund which it shall deem sufficient to retire said bonds at maturity, into which fund shall be paid annually an amount, not less than two per centum of the principal of said bonds, to be raised by special tax, assessed, levied and collected with the other taxes of such village or township or municipality governed by a board of commissioners or an improvement commission; and there shall likewise be raised by taxation each year, until the payment in full of said bonds, an amount equal to the interest payable on said bonds in such year.

Interpretation of act.

4. The powers conferred by this act shall be deemed to be in addition to and independent of any and all powers and authority conferred by any other law or laws, and not subject to any limitation contained in any such other law or laws.

5. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 118.

A Supplement to the 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:*

Lands used for water supply taxable.

1. Hereafter the lands of the respective counties, townships, cities, boroughs, towns and other municipal and public agencies of this State, used for the purpose and for the protection of public water supply, shall be subject to taxation by the respective taxing districts in which such real estate is situated, at the true value thereof, without regard to any buildings or other improvements on such lands, in the same manner and to the same extent as the lands of private persons are subject to taxation, notwithstanding any exemption provided for in the act to which this is a supplement.

Repealer.

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 April 8, 1910.

CHAPTER 119.

An Act concerning corporations of this State organized for historical or library purposes.

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

Right to acquire and dispose of property.

1. Every corporation of this State organized for historical or library purposes under the provisions of any act of the Legislature of this State, general, special

or private, is hereby authorized to take and hold by purchase, gift, devise, bequest or otherwise, for any historical or library purposes whatsoever, such real or personal property, or both, as such corporation may require, or as, in any manner, may have been or may be vested in such corporation for any or all of such purposes, and to grant, bargain, sell or convey the same; and every such corporation is further authorized to take and hold in trust for any historical or library purposes whatsoever such real or personal property, or both, as in any manner may have been or may be given, granted, conveyed, bequeathed or devised to or otherwise vested in such corporation in trust for any of said purposes, and to grant, bargain, sell and convey property so held or to be held in trust for any such purposes, in accordance with the terms of the gift, grant, conveyance, bequest, devise or instrument creating such trust or trusts respectively.

Trust devises continued.

2. Any and all property, real or personal, heretofore given, granted, conveyed, bequeathed or devised to or otherwise vested in any such corporation in trust for any historical or library purpose, shall, so far as the same may not have already been applied in the execution of said trust, continue to be held and applied by such corporation in accordance with the terms of the gift, grant, conveyance, bequest, devise or instrument creating such trust in the same manner and with the same force and effect as if such corporation were originally duly authorized to act in the capacity of trustee in the premises; *provided,* that such trust, otherwise than in the designation of the trustee, is valid under the laws of this State.

Proviso.

3. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 120.

An Act to amend an act entitled "A supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplemental act was approved March twenty-fifth, one thousand nine hundred and eight.

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

1. Section one of the act entitled "A supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplemental act was approved March twenty-fifth, one thousand nine hundred and eight, be and the same is amended hereby to read as follows: Section 1 amended.

1. It shall be lawful for the borough council to issue a certificate or certificates of indebtedness, to run for a period not exceeding five years, and to bear interest at a rate not exceeding six per centum per annum, and to an amount not exceeding six thousand dollars, for the purchase of apparatus and equipment for the fire department of said borough, and to an amount not exceeding ten thousand dollars for making repairs to the borough hall or municipal building, and to an amount not exceeding twelve thousand dollars for the purchase of a building or for the purchase of land for the erection of a suitable building thereon for the use of the borough fire department. Issue certificates of indebtedness for municipal purposes.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 121.

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 town, borough, township or village.

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

Acquire roads.

1. The board of chosen freeholders of any county in this State is hereby authorized to acquire from time to time, in the manner hereinafter provided, any road or roads lying within or extending through the corporate limits of any town, borough, township or village, or lying in and extending through two or more towns, boroughs, townships or villages in such county.

Proceed by resolution, indicating roads.

2. Any board of chosen freeholders desiring to acquire any road or roads as provided and authorized by section one (1) hereof shall do so by the adoption of a resolution or resolutions, from time to time, as in the judgment of such board shall appear to be proper; such resolution shall designate the road or roads sought to be acquired, naming the municipality or municipalities within or through which such road or roads extend, and to such resolution or resolutions shall be attached a map or maps showing the road or roads sought to be acquired.

Road commissioner advised.

3. Upon the adoption of any such resolution two copies thereof, certified under the hand of the clerk and the seal of such board of chosen freeholders, shall be transmitted to the State Commissioner of Public Roads for his approval or disapproval.

Road commissioner to act.

4. The State Commissioner of Public Roads shall, within sixty days from the receipt by him of certified copies of resolutions required and provided for by section three (3) hereof, approve or disapprove thereof and certify his approval or disapproval upon the resolu-

tions filed with him, transmitting one thereof to the clerk of such board of chosen freeholders and filing the other in his office.

If more than one road shall be designated in any resolution, the State Commissioner of Public Roads may approve of one or more thereof and disapprove as to the others, and certify his approval and disapproval accordingly.

Maintenance.

5. Whenever the board of chosen freeholders shall by the adoption of a resolution as herein provided, approved by the State Commissioner of Public Roads, acquire any road or roads as a county road or roads, the duty of keeping the same in repair shall devolve exclusively upon the board of chosen freeholders, and all other powers and duties respecting such road or roads shall be imposed upon and vested in the said board of chosen freeholders to the exclusion of all township, town, borough and village officers; *provided, however,* that nothing herein shall divest the municipal authorities of any township, town, borough or village of their authority to light such road or roads, or of their power to construct, grade, curb, pave or repair the sidewalks and curbs along said roads, nor shall this power of said governing bodies divest the board of chosen freeholders of their right to construct across or under the sidewalks the necessary culverts or other provisions for the maintenance of such county roads; *and provided further,* that the board of chosen freeholders shall not grant any easement, right of way or use, in, under or over any such county road or roads unless the governing body of each municipality in said county through which said road or roads run or extend shall consent thereto, and that where the consent of property owners is required under any laws of this State, the same shall be also obtained before such grant of any such easement, right of way or use.

Proviso.

Proviso.

Improvements.

6. After acquiring any road or roads hereunder the board of chosen freeholders may, from time to time, and either in whole or in part, improve the same under the provisions of 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, and the acts amendatory thereof and supplemental thereto, for which purpose the board of chosen freeholders may issue bonds in the manner provided by the act herein recited.

Road act not affected.

7. This act shall take effect immediately, but nothing in this act contained shall be construed to modify or repeal any of the provisions of 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, or any of the acts amendatory thereof or supplementary thereto.

Approved April 8, 1910.

CHAPTER 122.

An Act to facilitate the collection of water rents or rates in cities, towns, boroughs, villages and townships owning their own water department, other than cities of the first class.

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

Discount on water bill.

1. It shall be lawful for the governing body, board or commission having charge of the water department in any city, town, borough, village or township which owns and operates public water-works to grant to consumers a rebate or discount for the prompt payment of water rents or rates within a specified time after said water rents or rates shall become due.

Amount of discount.

2. Such rebate or discount shall not exceed the sum of ten cents on each one dollar or fraction thereof due for water rents or rates, and no rebate or discount shall be granted unless such rents or rates be paid within thirty days after the same shall become due, which sum so granted as a rebate or discount shall be fixed and de-

termined by resolution of said governing body, or board, or commission having charge of the collection of water rents or rates in any such municipality.

As to construction of act.

3. This act shall not be construed to repeal any other act of the legislature authorizing the granting of rebates for prompt payment of water rents or rates, or to nullify and make void any ordinance of any such municipality or resolution of any governing body, or board, or commission having charge of the collection of water rents or rates in any such municipality whereby a greater rebate or discount is allowed than prescribed by this act.

4. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 123.

An Act to further amend an act entitled "A general act relating to boroughs (Revision of 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven.

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

Section 41 amended.

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

Bond issue.

41. Whenever in the judgment of the council it shall be necessary to issue bonds they may, by resolution, fix the amount thereof necessary to be issued, and shall in such resolution also set forth generally the object for which said bonds are to be issued; said council may, after ten days from the date of the adoption of such resolution, submit the question of such issue to the voters of the borough at an annual or special election, of which special election, and the object thereof, at least thirty days' notice shall be given by advertise-

Referendum.

Notice of election.

ments, signed by the borough clerk, posted in at least three public places in such borough, and printed once each week for at least three weeks in a newspaper published in the borough, if any such exist, or if none, then in a newspaper published in the county wherein the borough is situate, and circulating in the borough; at such special election the only question submitted shall be: "In favor of the issue of bonds according to resolution of council, dated " (inserting in said blank the date of such resolution), or "Against the issue of bonds according to resolution of council, dated " (inserting in said blank the date of such resolution); said election shall be by ballot, shall be held by the election officers of the borough upon the day appointed by the council; the polls shall be kept open for the time provided by law for general elections in said borough, and such election shall be in all respects conducted and the vote canvassed in the manner provided by law for such general election; there shall be no registration for such election, but the board of elections shall procure and use at such special election a certified copy of the register of voters used at the last preceding general election, and no person shall be entitled to vote whose name does not appear on said register; unless such person shall appear before said board and satisfy said board by affidavit, which the said board hereby is authorized to take, that such person has acquired the right of suffrage in said election district since said registration was made; if a majority of the ballots cast at such election shall contain the words "In favor of bonds according to resolution of council, dated " (inserting in said blank the date of such resolution), it shall then be lawful for the council to issue such bonds; *provided, however,* that if, within ten days after the adoption of such resolution, a remonstrance or remonstrances against such issue of bonds, signed by the owners of one-half in value of the taxable property in said borough as shown by the latest assessment of valuations made by the assessor, be filed with the clerk, no such election shall be called or held, and no further proceedings taken based on such resolutions and consent; *and*

Election, how conducted.

Registration.

Proviso.

provided further, that no consent of property owners or vote by the people shall be necessary to the issue of bonds for the purpose of meeting and paying any bonds previously issued and about to become due; *and provided further,* in order that the bonds issued under this amendatory act may be paid and retired at maturity, the council of the borough shall provide a sinking fund, not exceeding in amount to be raised in any one year five per centum, or less than three per centum, of the face value of the bonds issued, which sum shall be raised annually, at the time and in the manner provided for the raising of other moneys to be used by said borough; the money so raised for sinking fund purposes shall be paid to the commissioners of the sinking fund of said borough, to be used by them for the purposes herein mentioned; *and provided further,* that in lieu of providing for a sinking fund for the retirement of said bonds at maturity the bonds may be so issued that a stated equitable amount of them (in value), having regard to the other borough bonds issued, shall become payable in each year, beginning not more than ten years from the date of the earliest issue and ending in not more than forty years from such date, and in such case there shall be raised, by tax, in each year, such sum of money as may be necessary to pay the interest on all outstanding bonds and the principal of such bonds as may mature during that year.

Proviso.

Proviso.

Sinking fund.

Proviso.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 124.

An Act making an appropriation for the use of the Commissioners of the Palisades Interstate Park in laying out and constructing a drive to be known as "Henry Hudson Drive," along the Hudson river in the Palisades Interstate Park and in carrying out the purpose and intent of the law and the amendments and supplements thereof creating the said Palisades Interstate Park.

Preamble.

WHEREAS, By chapter one hundred and ten of the laws of the State of New Jersey of the year one thousand nine hundred and nine, the Commissioners of the Palisades Interstate Park were authorized and directed to lay out, construct and maintain a drive through the Palisades Interstate Park, said drive to be known as the "Henry Hudson Drive," and also suitable spurs to connect said Henry Hudson Drive with the river and with the top of the palisades cliffs; and

WHEREAS, Hon. Charles E. Hughes, Governor of the State of New York, in a message transmitted to the Legislature of that State on January fifth, one thousand nine hundred and ten, announced a gift to the State of New York by Mary W. Harriman of a tract of ten thousand acres of land in Rockland and Orange counties, New York, for a State park, and of the sum of one million dollars in cash, to be used to purchase additional land intervening between such tract and the Hudson river and in the improvement of the whole; and

WHEREAS, Said Governor Hughes in his said message also announced gifts from several residents of the States of New York, New Jersey and Pennsylvania to the Commissioners of the Palisades Interstate

Park, aggregating the sum of one million six hundred and twenty-five thousand dollars in cash, towards the carrying out of the comprehensive plan of a park along the west side of the Hudson river, from Fort Lee, in New Jersey, to Newburgh, in New York, and extending westerly to comprise said tract given by Mrs. Harriman upon the following conditions:

(1.) That the jurisdiction of the Commissioners of the Palisades Interstate Park be extended northward to the city of Newburgh and westward to include the Ramapo mountains, and that such gifts from Mrs. Harriman be accepted under the custody of such commission.

(2.) That the State of New York appropriate two million five hundred thousand dollars to the use of the commission for acquiring land, building roads and general park purposes.

(3.) That the State of New York abandon the State prison site now located within such area.

(4.) That the State of New Jersey appropriate such an amount as the Commissioners of the Palisades Interstate Park shall deem to be its fair share; therefore,

Appropriation.

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

1. The sum of five hundred thousand dollars is hereby appropriated, payable in amounts of one hundred thousand dollars in each consecutive year for five years, commencing with the year one thousand nine hundred and ten, when included in the annual or supplemental appropriation bill for such respective years, for the purpose of the use by the Commissioners of the Palisades Interstate Park as such commissioners may deem necessary or proper in carrying out the purposes and intent of said chapter one hundred and ten of the laws of one thousand nine hundred and nine, approved April sixteenth, one thousand nine hundred and nine, and of chapter eighty-seven of the laws of one thousand nine hundred, approved March twenty-second, one thousand nine hundred, as amended by chapter one hun-

dred and twelve of the laws of one thousand nine hundred and one, approved March twenty-second, one thousand nine hundred and one, creating the said Palisades Interstate Park.

Act conditional.

2. This act shall be deemed a public act and shall take effect immediately, but shall be inoperative unless the conditions hereinbefore recited to make available the aforesaid private gifts shall be complied with.

Approved April 8, 1910.

CHAPTER 125.

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.

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

Salaries of subordinates.

1. The salaries of all subordinate officers of the New Jersey Reformatory shall be fixed by the board of managers, but no salary greater than one thousand five hundred dollars per year shall be paid to any subordinate officer except the deputy superintendent and chief parole officer, who shall receive not more than one thousand eight hundred dollars per annum.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 126.

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.

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

Section amended.

1. Section one of the said act mentioned in the title hereof and approved March fifteenth, one thousand eight hundred and ninety-three, be and the same is hereby amended so that henceforth said section one shall read as follows:

Eligibles.

1. Any deaf and dumb, blind or feeble-minded person, of a suitable age and capacity for instruction, may be entitled to the benefits of this act.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 127.

An Act concerning the fees and costs and the taxation thereof in the courts of law in this State.

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

Prevailing party entitled to costs.

1. The prevailing party in any action, motion or proceeding in the courts of law in this State shall be

entitled to costs, except where otherwise provided by law, and unless the court or judge before whom such action, motion or proceeding shall be taken shall order otherwise.

Costs taxed by clerk of court.

2. Costs shall be taxed by the clerk of the respective courts, upon application of the party entitled thereto, or may be taxed by the court or a judge thereof, and shall be taxed upon application of any party in cases where such taxation is necessary or proper in order that such party may proceed in the action, motion or proceeding. The amount of costs as taxed shall be inserted in the judgment or final order, but need not be stated in any subsidiary or interlocutory order, but if the costs shall not be taxed within two terms next after the entry of any such judgment or order, no costs shall thereafter be allowed or taxed; *provided, however,* that if any such jurgment or order shall become the subject of review or further litigation, then and in such case costs may be taxed at any time within two terms next after such judgment or order shall be finally disposed of. In cases where costs are in the discretion of the court, the report, or decision, or finding must specify which party or parties are entitled to costs, but the amount thereof shall be ascertained by taxation.

Proviso.

Discretion of court.

Costs taxed upon notice.

3. Costs may be taxed upon notice to the attorney for each adverse party who has appeared and is interested in reducing the amount thereof. The notice must be accompanied by a copy of the bill of costs, specifying the items in one column, with the disbursements stated in detail in another column, and the notice must set forth that the accompanying bill of costs and disbursements will be presented to the clerk for taxation on a certain day and time, which must not be less than five days after the service of such notice, unless the attorneys serving and served with the notice all reside or have their offices in the city or town where the costs are to be taxed, in which case a notice of two days shall be sufficient. Proof of service of such notice shall be filed with the clerk one day prior to the day named for such taxation.

Costs taxed without notice.

4. Costs may be taxed without notice, but in such case a copy of the bill of costs must immediately afterwards be served upon the attorney for each adverse party who has appeared and is interested in reducing the amount thereof, with a notice to the effect that the accompanying bill of costs has been taxed without notice, and will be presented to the clerk or the court, as the case may be, for retaxation on a day and time therein named, which must be not less than five days after the service of such notice, unless the attorneys serving and served with the notice all reside or have their offices in the city or town where the retaxation is to take place, in which case a notice of two days shall be sufficient. Proof of service of such notice shall be filed with the clerk one day prior to the day named for such retaxation. In default of such notice and retaxation the court must, upon the application of the party entitled to notice, direct a retaxation, with costs of the motion to be paid by the party in default. The court may, in its discretion, upon the application of the party interested, direct a retaxation of costs at any time. Any sum deducted upon a retaxation must be credited upon the execution or other process issued to enforce the judgment.

Taxation of costs reviewable.

5. The taxation or retaxation of costs may be reviewed by the court upon a motion for new taxation. The order made upon such motion may allow or disallow any item objected to before the taxing officer, in which case it shall have the effect of a new taxation; or, it may direct a new taxation before the proper officer, specifying the grounds or the proof upon which the item may be allowed or disallowed by him. Any sum deducted upon such new taxation must be credited upon the execution or other process issued to enforce the judgment, and any sum allowed shall be added thereon.

Duty of taxing officer.

6. The officer authorized to tax costs in any action or proceeding must, whether the taxation be opposed or not, examine the bills presented to him for taxation; satisfy himself that all the items allowed by him are correct and legal, and strike out all charges for fees other than the prospective charges expressly allowed

by law, where it does not appear that the services for which they are charged were necessarily performed.

Affidavit to show certain facts.

7. An affidavit must be attached to the bill of costs to the effect that the items of disbursements therein set forth have been necessarily incurred and are reasonable in amount, and in the case of disbursements claimed to have been made for the attendance of witnesses, the affidavit must set forth the number of days of actual attendance, and if mileage be charged, the distance traveled.

Schedule of costs.

8. Costs awarded to a party shall be as follows;

Plaintiff.

I. To the plaintiff:

For all proceedings before notice of trial, twelve dollars;

For each additional defendant served with the summons or other original process, not exceeding ten, two dollars, and for each necessary defendant in excess of that number, one dollar;

For procuring the appointment of a guardian or guardian ad litem, or next friend, for one or more infant parties, five dollars;

For procuring an order directing the service of the summons or other original process by publication, or personally without the State, on one or more defendants, five dollars;

For procuring an order of arrest, five dollars;

For all proceedings before notice of argument, where there is no issue of fact to be tried, in actions of certiorari, except to remove the judgment or proceedings of an inferior court, mandamus, habeas corpus, quo warranto and other prerogative writs, and in all summary actions and proceedings, twelve dollars.

Defendant.

II. To the defendant:

For all proceedings, before notice of trial, or before notice of argument where there is no issue of fact to be tried, eight dollars.

Either party.

III. To either party:

For all proceedings after notice of trial and before trial, five dollars; upon the entry of judgment interlocutory by default and issuing writ of inquiry, two dollars and fifty cents; for drawing interrogatories to be annexed to a commission or to letters rogatory, issued

pursuant to law, five dollars; for the argument of an issue of law, ten dollars; for the trial of an issue of facts, or the assessment of damages, upon default, pursuant to law, fifteen dollars; upon entering a remittitur from a court of appeal, four dollars; upon any other motion, subsidiary or interlocutory, a sum to be fixed by the court or judge, not exceeding ten dollars, besides necessary disbursements for printing, service and commissioner's, master's or referee's fees; for each term, after the first, at which the case is necessarily on the list or calendar for trial, not exceeding four, excluding the term at which it shall be tried, or otherwise finally disposed of, five dollars; upon an appeal to the Supreme Court from an inferior court, or certiorari or error from the Supreme Court to an inferior court, before notice of argument, eight dollars. Double costs, however, shall be allowed and taxes on error where otherwise so provided for by statute.

Costs in case of adjournment.

9. Where application is made to the court or judge or referee or other officer to whom a cause may have been referred for trial, to adjourn or postpone a trial, the payment to the adverse party of a sum not exceeding five dollars, if the parties reside in the same county, or a sum not exceeding ten dollars, if the parties reside in different counties, besides the fees of his witnesses and other taxable disbursements already made or incurred, which are rendered ineffectual by the adjournment or postponement, may be required as a condition of granting the adjournment or postponement.

Costs may include sundry disbursements.

10. A party to whom costs are awarded or allowed by law in an action, motion or other proceeding is entitled to include in his bill of costs his necessary disbursements, as follows:

The legal fees of witnesses, of referees, commissioners and other officers; the fees for taking depositions as provided by law; the legal fees for publication where publication is directed, pursuant to law; the legal fees paid for a certified copy of a deposition or other paper or document, or map, recorded or filed in any public office, necessarily used or obtained for use on the trial of an issue of fact or the argument

of an issue of law, or upon appeal or error; the reasonable expenses of printing the papers and points for a hearing or argument; prospective charges for the expenses of entering and docketing the judgment or final order; the sheriff's fees for service of process or other mandate; all filing and docketing fees and charges paid to the clerks of the respective courts; and such other reasonable and necessary expenses as are taxable according to the course and practice of the court, or by express provision of law.

Allowance upon dismissal.

11. Upon the dismissal or discontinuance of any action or proceeding without trial or argument, or the filing of a retraxit or disclaimer, eight dollars shall be allowed the moving party.

Costs in proceedings after judgment.

12. In proceedings after judgment in aid of execution, if the result of the examination shall, in the opinion of the court or a judge thereof, show that such proceedings were well founded, the moving party shall be allowed the sum of ten dollars and his necessary disbursements, including commissioner's fees; if the examination shows that such proceedings were not well founded, the party against whom such proceedings are taken shall be allowed the sum of five dollars and his necessary disbursements.

Approved April 8, 1910.

CHAPTER 128.

An Act concerning fees and costs and the taxation thereof in the courts of law of this State.

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

Fees in instituting proceedings.

1. Upon the filing or entering of the first paper or proceeding by either party to any action or proceeding in any court of law in this State, and the entering or docketing of such action or proceeding, such party shall pay to the clerk of such court, in lieu of the fees

heretofore provided for the filing and entering of such papers, actions or proceedings, the following fees: The plaintiff, two dollars, and the defendant, one dollar and fifty cents, respectively, which sum shall cover the cost of the filing of all papers or pleadings in the cause down to the entry of judgment or dismissal, discontinuance or removal of the cause, except the postea fee which shall be three dollars and fifty cents as heretofore and except filing fees on special or subsidiary or interlocutory motions, as hereinafter provided.

Fee for entry of judgment, remittitur, etc.

2. Upon the entry of judgment nisi or interlocutory or entering of remittitur or mandate from a court of appeal or otherwise the party entering the same shall pay to the clerk the sum of one dollar and ten cents, and upon the entry of judgment final, five dollars, in lieu of the fees heretofore provided by law for such services, which shall include the fee for taxation of costs and the issuing of one final process.

Fee for dismissal.

3. Upon the dismissal or discontinuance of any cause, action or proceeding or the filing of a retraxit or disclaimer, the moving party shall pay to the clerk the sum of two dollars, which shall include the fees for the taxation of costs upon such dismissal and a copy of the bill.

Prevailing party to pay.

4. Upon all special or subsidiary or interlocutory motions the prevailing party shall pay to the clerk the sum of two dollars, which shall include the fee for the taxation of costs upon such motion and a copy of the bill.

Party applying to pay.

5. Upon the taxation of costs in any other proceeding the party applying therefor shall pay to the clerk the sum of one dollar and twenty-five cents, which shall include the fee for the taxation of such costs and for copies of the taxed bill.

Fees.

Upon the trial of any action, cause or proceeding, the same fees shall be paid as are now provided by law.

Collectible by clerk of Supreme Court.

6. Such fees shall be received and collected by the clerk of the Supreme Court for the sole use of the State of New Jersey as public moneys belonging to the State, and shall be accounted for by said clerk

and paid over as such in the manner now provided for by law.

Disposition of fees by county clerks.

7. Where such fees are collected by the clerks of the several counties they shall be disposed of in the manner following:

Specified in section 1.

Of the fees specified in section one of this act, one-half of said fees shall be received and collected by said clerks for the sole use of the State of New Jersey as public moneys belonging to the State, and shall be accounted for by said clerks and paid over as such in the manner now provided for by law; and the balance disposed of in the same manner as now provided for by law with respect to other fees received and collected by the clerks of the several counties.

Specified in section 2.

Of the fees specified in section two of this act, two-fifths of said fees shall be received and collected by said clerks for the sole use of the State of New Jersey as public moneys belonging to the State, and shall be accounted for by said clerks and paid over as such in the manner now provided for by law; and the balance disposed of in the same manner as now provided for by law with respect to other fees received and collected by the clerks of the several counties.

Specified in section 3.

Of the fees specified in section three of this act, two-fifths of said fees shall be received and collected by said clerks for the sole use of the State of New Jersey as public moneys belonging to the State, and shall be accounted for by said clerks and paid over as such in the manner now provided for by law; and the balance disposed of in the same manner as now provided for by law with respect to other fees received and collected by the clerks of the several counties.

Specified in section 4.

Of the fees specified in section four of this act, two-fifths of said fees shall be received and collected by said clerks for the sole use of the State of New Jersey as public moneys belonging to the State, and shall be accounted for by said clerks and paid over as such in the manner now provided for by law; and the balance disposed of in the same manner as now provided for by law with respect to other fees received and collected by the clerks of the several counties.

Of the fees specified in section five of this act the whole amount shall be disposed of in the same manner as now provided for by law with respect to other fees received and collected by the clerks of the several counties. Specified in section 5.

Approved April 8, 1910.

CHAPTER 129.

An Act to authorize the sale of lands or real estate owned jointly by two or more townships and used as a farm for the poor or for the care and maintenance of the poor of the townships owning the same.

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

1. Whenever any lands or real estate are jointly owned by two or more townships and are used as a farm for the poor of any of said townships, or for the care and support of any or all of the poor of the townships owning the same, it shall be lawful for the township committee of any of the several townships owning said lands or real estate to sell, convey and dispose of the undivided right, title and interest of said township in such lands or real estate at public or private sale, for such price and on such terms as the said township committee shall consider proper and adequate; *provided,* that the legal voters of any township owning such lands or real estate shall, at the regular annual election, or at a special election called for the purpose, authorize the township committee to sell and convey the undivided right, title and interest of said township in such lands or real estate. Township committee may sell poor farm. Proviso.

2. Whenever in the judgment of the township committee of any township owning any right, title or interest in any such lands or real estate it shall be considered desirable to sell and convey the whole or any part of such undivided right, title or interest in such lands or real estate, the township committee of Question submitted to voters.

any such township may, by resolution, determine that such sale and conveyance shauld be made, and shall submit the question of such sale to the legal voters of the township at an annual or special election, of which special election and the object thereof at least thirty days' notice shall be given by advertisements signed by the township clerk, posted in at least five public places in such township, and printed once in each week for at least three weeks in a newspaper published in the township, if any such exist, or, if none, then in a newspaper published in the county wherein the township is situate and circulating in said township. At such special election the only question submitted shall be " in favor of the sale of the township's interest in the township poor farm, according to resolution of township committee, dated "; or "against the sale of the township's interest in the township poor farm, according to resolution of township committee, dated ." Such election shall be by ballot, and shall be held by the election officers of the township upon the day appointed by the township committee. The polls shall be kept open for the time provided by law for general elections in said township, and such election shall be in all respects conducted and the vote canvassed in the manner provided by law for such general elections. There shall be no registration for such election, but the boards of election of the several election districts of said township shall procure and use at such special election a certified copy of the register of voters used at the last preceding general election, and no person shall be entitled to vote whose name does not appear on said register. If a majority of the votes cast at such election shall contain the words "in favor of the sale of the township's interest in the township poor farm, according to resolution of township committee, dated ," it shall then be lawful for the township committee to sell, convey and dispose of the said township's undivided right, title and interest in the said lands or real estate at public or private sale.

Notice of election.

Question.

Election, how conducted.

Registration.

3. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 130.

An Act to enable any city of this State to lease or acquire lands and to erect buildings thereon for the collection of ashes and refuse, and to contract with street railway companies for the transportation of such ashes and refuse over their railroad lines within such city.

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

Cities may contract with trolley companies for removal of ashes and garbage.

1. The board or body of any city of this State having control over the streets and highways of the city shall have the power to enter into contract with any street railway company in such city to carry and transport over its lines within such city ashes and refuse collected therein by the city authorities, or by the contractor for the removal of garbage and ashes in such city, which contract shall be subject to approval by the mayor of such city. And it shall be lawful for any such street railway company entering into contract as aforesaid with any city to run cars upon its railroad lines through the streets thereof for the purpose of carrying and transporting ashes and refuse in accordance with such contract, anything in the laws of this State to the contrary notwithstanding; but such cars shall only be run between the hours of twelve o'clock midnight and six o'clock in the morning of each day.

At night only.

Period of contract.

2. No such contract shall be made or entered into for a longer period than five years; and it shall be the duty of the board or body having control of the finances of the city, when any such contract is made and entered into, to raise and appropriate each year a sum sufficient to pay the amount of money due under such contract for such year.

Acquire property for such purposes.

3. The board or body having control of the streets and highways of any city shall have the power, from time to time, to lease or acquire, either by purchase or by condemnation proceedings, lands and real estate, in such part or parts of the city as it shall deem advisable, to be used for the collection of ashes and refuse and for the loading of cars, and thereon to erect suitable sheds and buildings for the purpose. The amount of money estimated by the board or body having control of the streets and highways to be necessary for such purpose for any year shall be certified by such board or body to the board or body having control of the finances of the city, and such board or body shall thereupon include the same in the tax levy for such year, to be raised and collected as other moneys for the annual expenses of such city are raised and collected.

Repealer.

4. This act shall take effect immediately, and all acts and parts of acts inconsistent herewith are hereby repealed.

Approved April 8, 1910.

CHAPTER 131.

An Act to amend the title and body of and to supplement an act entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the War of the Rebellion," approved May seventeenth, one thousand nine hundred and six.

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

Amended title.

1. The title of the act referred to in the title of this act is hereby amended to read as follows:

"An act to permit the retirement, on pension, from public office or position, after twenty-five years' con-

tinuous, or aggregate, service in public office or position of honorably discharged Union soldiers, sailors and marines who served in the War of the Rebellion."

Section 1 amended.

2. Section one of the act referred to in the title of this act is hereby amended to read as follows:

Retirement of civil war veterans.

1. Whenever any honorably discharged Union soldier, sailor or marine who served in the War of the Rebellion has or shall have been for twenty-five years continuously or in the aggregate in public office or position in this State, county, city, township or municipal service, it shall be lawful, with his assent, for the body, board or officer having power to appoint his successor in case of vacancy to order his retirement from such service, or he shall be retired upon his own request.

Pension.

3. In case of such retirement, the person so retired shall be entitled, for and during his natural life, to receive by way of pension one-half the compensation then being received by him for such service, the same to be paid in the same way and the same installments in which such compensation has heretofore been payable; *provided,* that in case of retirement with pension from office or position under any other law of this State, the person retiring shall waive either his pension under such law or his pension under this act.

Proviso.

Provision for payments.

4. Provisions for all pensions arising under this act shall be made in the appropriation or tax levy for the department of the public service from which such person shall be so retired.

Repealer.

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

Approved April 8, 1910.

CHAPTER 132.

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.

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

Joint county improvement and extension of roads.

1. Wherever the boards of chosen freeholders of two or more counties of this State have heretofore or shall hereafter proceed to jointly rebuild, reconstruct, change the grade of, improve and widen a road under the first section of the act to which this is a supplement, and such road on either end terminates at and is continued by an existing street in any municipality, and in the judgment of such boards it is advisable to extend the rebuilding, reconstruction, change of grade, improvement and widening of such road to some inter-

secting street or streets in such municipality or municipalities, then it shall and may be lawful for such boards to jointly rebuild, reconstruct, change the grade of, improve and widen such road beyond the ends of such road in its possession or control for a distance of not exceeding five hundred feet to intersecting street or streets in the municipality or municipalities, and to acquire the lands therefor, and to issue bonds for the purpose, in the manner provided in the act to which this is a supplement.

Distance.

May issue bonds.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 133.

A Supplement to an act entitled "An act to secure to mechanics and others payment for their labor and materials in erecting any building" (Revision of 1898).

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

1. Any final judgment of any District Court under the provision of the act to which this is a supplement shall be docketed in the Circuit Court of that county by the party recovering the same or by his executors, administrators or assigns in the manner hereinafter directed.

Final judgment of district court docketed in circuit court.

2. The clerk of every Circuit Court shall provide and keep a docket, in which shall be entered, upon complying with the provisions of this act, all such final judgments from any District Court.

Docket kept.

3. When a judgment is obtained in any District Court under the provisions of the act to which this act is a supplement, including costs, the clerk of such Circuit Court of the county, upon filing in his office a state-

What statement to set forth.

ment signed by the clerk of the District Court, under the seal of the court, which statement shall contain the name of the court, the name of the parties, and whether judgment be general against the builder or against the building and land only, or both, the amount and date of judgment, and also an oath or affirmation of the party, his or their attorney or agent, that at the time of filing such statement a certain amount is still due thereon, stating the amount, shall enter in a docket provided for that purpose a transcript of such judgment in words at length containing the name of the District Court in which the judgment was obtained, the names at length of the parties to said judgment, the style of the action, the date of the judgment, the amount recovered with costs, the substance of the return of the constables or sergeant-at-arms, and the amount stated to be due in the affidavit. The fees of the clerk of the Circuit Court for filing such statement shall be two dollars, and to the clerk of the District Court for certifying the same, fifty cents.

Transcript of judgment.

Fees.

Effect of docketing judgment.

4. Such judgment shall, from the time of such docketing in the Circuit Court, operate as a judgment obtained in a suit originally commenced in said court, and satisfaction thereof may be entered in the same manner and upon the same evidence as is now provided by law in case of judgments rendered in the Circuit Court under this act, and execution may issue thereon out of said Circuit Court which shall be of the same effect as to the property of the judgment debtor, either personal or real, as if issued on a judgment originally obtained in such Circuit Court upon a suit commenced therein.

Proceedings after final judgment in district court.

5. After any final judgment of any District Court under the provisions of the act to which this act is a supplement, no execution shall issue thereon out of any District Court, nor shall any proceedings be had thereon except the due and proper granting of a new trial, an appeal or certiorari, no judgment shall be allowed to be docketed after the granting of a new trial, an appeal or certiorari and pending the determination thereof.

Revival of judgment.

6. Every judgment docketed as herein directed may be revived by scire facias in the Circuit Court in the

same manner, in the like cases and with the like effect as if said judgment had been obtained in a suit commenced in that court.

Index of judgments.

7. The clerk of the Circuit Court shall make a complete alphabetical index to the docket in which said judgments are to be entered, and said docket shall be a public record, to which all persons desiring to examine the same shall have access.

Appeal to act as stay.

8. If any judgment recovered in any District Court shall be removed by appeal or certiorari, and the necessary bond be perfected, and such judgment shall, either before or after such removal, be docketed as herein provided, execution from the Circuit Court in which said judgment is docketed shall be stayed and suspended until the final determination of such appeal or certiorari.

Determination of appeal entered on margin of docket.

9. If any judgment, docketed as hereinbefore provided, shall be reviewed upon certiorari or appeal, and a duly certified transcript of the judgment of the court wherein such appeal or certiorari may have been determined shall be delivered to the clerk of the Circuit Court of the county where such judgment is docketed, it shall be the duty of the said clerk to file the same in his office, and enter in the margin of the docket opposite the entry of said judgment, in short form, the substance of such determination upon the appeal or certiorari.

Repealer.

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

Approved April 8, 1910.

CHAPTER 134.

An Act to amend an act entitled "An act concerning District Courts (Revision of 1898)," approved April fourteenth, one thousand eight hundred and ninety-eight.

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

Section 3 amended.

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

Jurisdiction of district courts.

30. Every suit of a civil nature at law, or to recover any penalty imposed or authorized by any law of this State, where the debt, balance, penalty, damage or other matter in dispute does not exceed, exclusive of costs, the sum or value of five hundred dollars, shall be cognizable in the district courts of this State; district courts shall also have jurisdiction in proceedings between landlords and tenants and in actions of forcible entry and detainer, and in actions of replevin, and in attachment, as hereinafter provided in this act; and in such other cases as are now or may hereafter be provided by law.

Repealer.

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

Approved April 8, 1910.

CHAPTER 135.

An Act to amend an act entitled "An act to secure to mechanics and others payment for their labor and materials in erecting and building" (Revision of 1898).

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

1. Section eighteen of the act to which this act is an amendment be and the same is hereby amended to read as follows: Section 18 amended.

18. No debt shall be a lien by virtue of this act unless a lien claim is filed as hereinbefore provided within four (4) months from the date of the last work done or material furnished for which such debt is due; nor shall any lien be enforced by virtue of this act unless the summons in the suit for that purpose shall be issued within four (4) months from date of the last work done or materials furnished in such claim; and the time of issuing such summons shall be endorsed on the claim by the clerk upon the sealing thereof, and if no such entry be made within four (4) months from such last date, or if such claimant shall fail to procecute his claim diligently within one (1) year from the date issuing such summons, or such further time as the court may by order direct, such lien shall be discharged, and all suits now pending where a claim has been filed and a summons issued within four (4) months from the date of the last work done or materials furnished for which said debt is claimed shall be included within the provisions of this act; *provided,* that the time in which such lien may be enforced by summons may be extended for any further period, not exceeding four (4) months, by a written agreement for that purpose, signed by said landowner and said claimant, and annexed to the said claim on file before such time herein Lien claim must be filed. Proviso.

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limited therefor shall have expired, in which case the county clerk shall enter the word "Extended" in the margin of the lien docket opposite such claim, and any claimant, upon receiving written notice from the owner of the lands or building requiring him to commence suit on such claim within thirty days from the receipt of such notice, shall only enforce such lien by suit to be commenced within said thirty days; *provided, further,* that when any suit is brought in any district court on such lien claim, it shall be the duty of the plaintiff, or his attorney, to obtain from the clerk of such district court a certificate to the effect that a suit has been commenced in such district court on such lien claim, specifying the court where the suit is brought, the day and year when such suit was commenced, and the day and year when the summons is made returnable, which said certificate the plaintiff or his attorney shall present to the clerk of the county in which such lien claim is filed within four (4) days after issuing of summons; it shall thereupon be the duty of the clerk of said county to endorse upon such lien claim that a suit has been commenced on the same, specifying the court where suit is brought, the day and year when summons was issued, and when same is made returnable.

Proviso.

Section 23 amended.

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

Proceedings to enforce claims.

Courts in which suit may be enforced.

23. When a claim is filed agreeably to the provisions of this act upon any lien created thereby, the same may be enforced by suit in the Circuit Court of the county where such building is situated, or in any District Court of the county (providing the claim does not exceed five hundred dollars) where such building is situated, and when the suit is brought in a District Court the practice shall be as nearly as possible the same as now provided, or may hereafter be provided by law in District Courts in action on contracts, which suit shall be commenced by summons against the builder and the owner of the land and building, and every person holding a mortgage of record against the property affected by said claim,

whose mortgage would be cut off by a sale under said claim, in the following or like form:

Form of summons.

Summon A. D., builder, and C. D., owner (or if the owner contracted the debt, A. B., builder and owner) and E. F., mortgagee (if there be a mortgage or mortgages), to appear before the Circuit Court (or District Court of the city of ....., or of the district ....., as the case may be), in and for the county of ....., at ....., in the said county, on the ..... day of ....., that the said A. B. (the builder) may answer unto G. H. (the claimant) of a plea (as in an action upon contract) for which G. H. claims a building lien on certain buildings and land of said C. D. (describing the building and lands as in the claim on file), and upon which said E. F. holds a mortgage of record.

Serving, etc., summons.

And the said summons shall be directed, tested and made returnable, and may be served and returned in the same manner as other writs of summons in the court from which issued, and such summons may be served upon the defendant, or either of them, in any county of this State by the sheriff thereof, if brought in the Circuit Court, or by a constable or sergeant-at-arms, if the suit is brought in any District Court of any county; and for this purpose the same, or a duplicate thereof, may be issued to such sheriff, or constable, or sergeant-at-arms, as the case may be, and if any defendant cannot be found in this State, it may be served upon him by affixing a copy thereof upon such buildings, and also by serving a copy on such defendant personally, or by leaving at his residence ten days before its return, which shall be deemed actual service, or in case such defendant resides out of this State, by affixing a copy on such building and sending a copy by mail, directed to him at the post office nearest his residence, or in case his residence is not known to the plaintiff, then by affixing a copy to such building and by inserting it for four (4) weeks, once in each week, in some newspaper of this State published or circulating in the county where such building is situated, either of which shall be legal service; and when an affidavit shall be made and filed of the

When defendant not found.

facts authorizing and constituting any such service not made by a sheriff or officer, the suit may proceed against the party so served as if such summons had been returned served by the sheriff or other officer.

Repealer.

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

Approved April 8, 1910.

CHAPTER 136.

An Act to amend the title and body of an act entitled "An act to enable counties to sell and convey or to lease public lands which are not used, needed or desirable for public purposes," approved April thirteenth, one thousand nine hundred and nine.

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

Amended title.

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

"An act to enable counties, towns and boroughs to sell and convey or to lease public lands which are not used, needed or desirable for public purposes."

Section 1 amended.

2. Section one of the act entitled "An act to enable counties to sell and convey or to lease public lands which are not used, needed or desirable for public purposes," approved April thirteenth, one thousand nine hundred and nine, be amended to read as follows:

Disposition of property not needed.

1. It shall be lawful for the board of chosen freeholders of any county, the common council or other chief governing body of any town or borough in this State which owns or may hereafter own lands and real estate not used or needed for public purposes, or the further use of which, in the judgment of said board, common council, or other chief governing body is no longer desirable, by resolution, adopted by the affirmative

vote of at least two-thirds of the entire number of members of such board, common council or other chief governing body, to sell and convey such lands and real estate or any part thereof, or to exchange the same for other lands adapted to the public use for which they are designed, or to lease for a term of years such lands and real estate, or any part thereof; if in the discretion of said board, common council, or other chief governing body it is deemed more advisable, the moneys received from the sale, exchange or letting of such lands and real estate shall be paid to the collector, treasurer or other officer entitled to receive the moneys of such county or borough for the general uses and purposes of such municipality.

3. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 137.

An Act to amend an act entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,' approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved March fourth, one thousand nine hundred and three.

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

Section 1 amended.

1. Section one of an act entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,' approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved March fourth, one thousand nine hundred and three, be and the same hereby is amended so as to read as follows:

Power of removal of tenant by district court or justice of peace.

1. Any lessee or tenant at will or at sufferance or for a part of a year, or for one or more years, of any

houses, lands or tenements, and the assigns, under-tenants or legal representatives of such tenant or lessee, may be removed from such premises by any district court in the county where such premises are situated, or, if such premises do not lie within a county in which there is a district court then by any justice of the peace of the county where such premises are situated in the manner hereinafter prescribed in the following cases; *provided,* that this act shall not be construed so as to give justices of the peace jurisdiction where district courts are established by law:

Proviso.

Hold-over tenants after demand is made.

I. Where any such person shall hold over and continue in possession of the demised premises, or any part thereof, after the expiration of his or her term, and after demand made and notice in writing given for delivering the possession thereof, by the landlord or his agent for that purpose, which notice shall be served either personally upon the tenant or such person in possession by giving him a copy thereof, or by leaving a copy thereof at his usual place of abode, with some member of his family above the age of fourteen years; or where for any reason such service cannot be had, then the same may be served by affixing a copy of such notice to the door of any dwelling, or such demised premises, occupied by such tenant;

After default in rent.

II. Where such person shall hold over after any default in the payment of the rent, pursuant to the agreement under which such premises are held.

Section 2 amended.

2. Section two of said act be and the same hereby is amended so as to read as follows:

Procedure to secure possession.

2. Any landlord or lessor, his legal representatives, agents or assigns, may make oath in writing to the facts which, according to the preceding section, authorize such proceedings against a tenant and describing therein the premises claimed, and if proceedings are begun under subdivision II of section one of this act, then said oath shall state the amount of rent claimed to be in default, and may file the same with the clerk of any district court within the limits of the county in which the premises are situated, or in case the premises do not lie within a county in which there is a district

court, then with any justice of the peace of the county in which the premises are situated, subject to the proviso in section one of this act; and on filing such affidavit the clerk or justice of the peace with whom the same is filed shall issue a summons describing the premises, in respect of which such proceeding is had, and requiring such tenant or any person in possession of said premises or claiming the possession thereof, forthwith to remove from or surrender the same, or to show cause before the court, if issued by the clerk of a district court, or before the justice of the peace, if issued by a justice of the peace, at a certain place and time to be therein specified, not less than five nor more than fifteen days from the date of such summons, why possession of such premises should not be delivered to such claimant, which summons if issued from such district court shall be served in the same manner as other writs of summons issued out of said court, and if issued by a justice of the peace then in the manner prescribed in the act constituting courts for the trial of small causes, and either party may demand and have a trial by a jury of twelve men; *provided,* that if proceedings shall be instituted under the provision of subdivision II of the preceding section, then if the tenant or person in possession of the demised premises shall at any time before the time of appearance specified in said summons pay to the clerk of the court out of which said summons was issued, or to the justice of the peace by whom such summons was issued, the rent claimed to be in default by the oath filed with said clerk or justice of the peace, together with the accrued costs of the proceedings, all proceedings shall be stopped and the receipt of said clerk or justice of the peace shall be evidence of such payment, and the said clerk or justice of the peace shall forthwith pay all moneys so received to the landlord or to the person making oath for him.

Summons.

Service of summons.

Proviso.

3. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 138.

An Act to amend an act entitled "An act to provide for and regulate appeals from any district court in any city of the State to the Supreme Court," approved April third, one thousand nine hundred and two.

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 to provide for and regulate appeals from any district court in any city of the State to the Supreme Court," be and the same hereby is amended so as to read as follows:

New title.

"An act to provide for and regulate appeals from any district court of the State to the Supreme Court."

Section 1 amended.

2. Section one of said act be and the same hereby is amended so as to read as follows:

Notice of appeal.

1. If either party in any action or proceeding in any district court of this State shall be dissatisfied with the determination or direction of such district court, in point of law or upon the admission or rejection of evidence, such party may appeal from the same to the Supreme Court, if such party shall, within ten days after such determination or direction, give notice of such appeal to the other party or his attorney, and

Bond given.

enter into bond to the other party with sufficient surety, to be approved by the district court judge, for the costs of the appeal, whatever be the result thereof, and for double the amount, if any, of the judgment rendered against him, conditioned for the payment thereof, if the appeal be not prosecuted by the appellant, or be dismissed; nevertheless, such security, so far as regards the amount of the judgment, shall not be required in any case where the judge shall permit the party appealing to pay the amount of such judgment into the hands of the clerk, and the same shall have been paid accordingly; such appeal shall operate as a stay of proceedings

Appeal stays proceedings.

only after such security has been given or money paid; and the said Supreme Court may either order a new trial on such terms as it thinks fit, or may order judgment to be entered for either party, as the case may be, and may make such order with respect to the dismissal and costs of the said appeal as such court may think proper. Court's determination.

3. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 139.

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 of 1898)."

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

1. Where in any case the lands of any deceased person shall have been or shall be sold under an order of the orphans' court for the payment of debts of the deceased, and a portion of the proceeds of such sale has been or shall be invested for the benefit of the widow of said deceased during her lifetime, it shall be lawful for the orphan's court of the county where said lands were situate, upon the death of the widow of said deceased, to order a distribution of the principal sum so invested for the benefit of said widow among the heirs or devisees of the person whose lands were so sold according to the law of descent or according to the will of the testator, if there be one, unless the amount realized from the sale of said lands remaining after the investing of said portion thereof for the benefit of such widow was insufficient to pay the debts of said deceased as proved and allowed in the proceedings in which the said order to sell was made, and in such case said court, instead of ordering distribution among said heirs or devisees, shall direct the payment of the balance of such debts Distribution of principal after death of widow.

New Jersey State Library

Pro rata distribution.

out of said principal sum so invested for the benefit of the widow, so far as the same shall be adequate for that purpose, in pro rata shares according to the amount of said debts so proved and allowed, respectively, and shall direct distribution of any balance of said principal sum remaining after the payment of said debts and interest among said heirs or devisees as aforesaid;

Proviso.

provided, however, that if any creditor or the executors, administrators, successors or assigns of any creditor have neglected or shall neglect for the space of six years after the death of such widow to claim any balance upon his, her or its claim so proved and allowed in said proceedings for the sale of lands for the payment of debts, that then and in such case the share of said principal sum so invested for the benefit of the said widow during her lifetime which under the terms hereof would have been paid to such creditor shall be paid to and ordered distributed among said heirs or devisees as aforesaid.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 140.

An Act to amend an act eititled "An act to enable adjoining municipalities other than cities, lying in the same county, to consolidate and form a city," approved April eleventh, one thousand nine hundred and eight.

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

Section 2 amended.

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

Court to order election upon presentation of petition.

2. It shall be the duty of the justice of the Supreme Court holding the circuit in the county where said

adjoining municipalities are situate, upon presentation to him of a petition in writing, signed by at least five per centum of the legal voters of each of said municipalities as shown by the registry list for the preceding general election, and verified as to that fact by the clerk of the said municipalities, setting forth the corporate names of the municipalities which it is proposed to incorporate as a city, showing that they adjoin each other and that the petitioners desire such incorporation as a city, to call, by written order, a special election to be held within said municipalities; said order shall state the corporate names of the municipalities mentioned in said petition, shall state the object of such election to be to vote for or against incorporation of said municipalities as a city under the provisions of this act, and shall fix the date for such election, which date shall not be less than sixty days after the date of the making of said order; said order shall forthwith be filed in the office of the clerk of the county and a true copy thereof shall be served upon the board of elections of said county and upon municipal clerks of the municipalities mentioned in said order within five days of the date of signing of said order; *provided, however,* that whenever said justice of the Supreme Court shall order a special election in any municipality according to the provisions of this act, it shall not be lawful to order another special election to be held in such municipality until after the lapse of at least two years from the date of the order for such prior special election.

Proviso.

2. Section three of said act be and the same is hereby amended so as to read as follows:

Section 3 amended.

3. The elections shall be held under the supervision of the county board of elections of said county by the municipalities named in said order and shall be conducted by the election officers and local boards of election which conducted the general election last preceding the special election provided for by this act. There shall be no registration for said election, but the board of election shall procure and use at such special election a certified copy of the registry of voters used at the last preceding general election, and no person

Election, how conducted.

Registration.

shall be entitled to vote whose name does not appear on said register, unless said voter shall appear in person before said board and satisfy said board by affidavit, which the said board is hereby authorized to take, that said voter has acquired the right of suffrage in said election district since said registration was made. The polls shall be opened and closed at the same hours as at general elections, and the election shall be conducted as nearly as may be in like manner as general elections are conducted; the election shall be by ballot, and the

Ballots.

ballots shall be provided by the municipal clerks of the interested municipalities; they shall be two in kind, one shall contain the words, "for consolidation and incorporation as a city," and the other shall contain the words "against consolidation and incorporation as a city." The election officers shall give to each elector presenting himself to vote one of each of said ballots, and the elector may cast one of said ballots as selected by him, and the ballots cast shall be deposited in the ballot box without being enclosed in any envelope.

Repealer.

3. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

4. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 141.

An Act to amend an act entitled "An act to amend the title of the act entitled 'An act for the construction, maintenance and operation of water-works for the purpose of supplying cities, towns and villages of this State with water,'" approved April twenty-first, one thousand eight hundred and seventy-six, so that said title shall read "An act for the construction, maintenance and operation of water-works for the purpose of supplying cities, towns, townships, villages, boroughs and other municipalities in this State with water and otherwise amending said act," approved June twenty-second, one thousand nine hundred and six.

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

Section 2 amended.

1. Section two of said amendatory act, of which amendatory act this act is amendatory, is hereby amended to read as follows:

Formation of water companies in municipalities not over 15,000.

2. Any number of persons, not less than seven, a majority of whom shall reside in this State, may form a company for the purpose of constructing, maintaining and operating water-works in any city, town, township, village, borough, or other municipality of this State having a population of not more than fifteen thousand, and for the purpose of supplying such city, town, township, village, borough or other municipality and the inhabitants thereof with water.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 142.

A Supplement to an act eititled "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, one thousand nine hundred and six.

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

Expenses of sheriffs in second, third and fourth class counties paid by freeholders.

1. In addition to the salary provided by law, the sheriffs of counties of the second, third and fourth class of this State shall be entitled to have and receive the actual expenses incurred by them personally in performing the duties of their office, such as transportation, livery, telephone, telegraph and postal charges, to be paid by the board of chosen freeholders of the said respective counties.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 143.

An Act to annex to the village of Ridgewood, in the county of Bergen, the borough of Glen Rock, in said county.

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

Glen Rock annexed to vllage of Ridgewood.

1. The borough of Glen Rock, in the county of Bergen, be and the same is hereby annexed to and made a part of the village of Ridgewood, in said county, and

the governmental authority of said village of Ridgewood be and the same is hereby extended to and shall be exercised within the boundaries hereby annexed.

Referendum.

2. This act shall take effect immediately; *provided, however,* it shall not operate to effect such annexation of the borough of Glen Rock to the village of Ridgewood until it shall have been accepted by a vote of a majority of qualified voters of the said borough of Glen Rock voting thereon at a special election to be held within said borough on the fourth day of May, one thousand nine hundred and ten, between the hours of six A. M. and six P. M. of said day, at a place within said borough, to be fixed by the clerk of the said borough of Glen Rock. The clerk of said borough shall cause public notice of the time and place of holding said election to be given by advertisement signed by himself and set up in at least ten public places within said borough of Glen Rock and published in one or more newspapers circulating therein at least ten days prior to said election, and said clerk 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 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 said act, if the word "against" is marked off or defaced upon the ballot it shall be counted as a vote in favor of the acceptance thereof, and in case neither the word "for" nor the word "against" be marked off or defaced upon the ballot it shall not be counted either as a vote for or against such acceptance. Such election shall be held at the time and place so appointed and be conducted by the election officers of the election district of the borough of Glen Rock, and official ballots and envelopes shall be used at said election. The officers holding such election shall make returns to the council of the borough of Glen Rock of the result by a statement in writing under their hands, and the same shall be entered at length on the minutes of said borough

Notice of election in borough.

Ballots.

Election, how conducted.

Returns.

council and thereupon and upon such adoption, but not otherwise, this act shall in all respects be operative.

Register used.

3. The register of voters of the voters within said borough 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 of elections in said borough to make a new registry of voters for such special election, but only to revise and correct the register made for the last general election, and for that purpose the said board shall meet at such place within the said borough as shall be designated by the clerk of said borough one week next preceding said election. Notice of the place so designated shall be given by the clerk by posting in at least five of the most public places in said borough. Said meetings of the board of registry and elections 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 borough at said special election who shall appear in person before them and establish to the satisfaction of the 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 said borough 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 Bergen county to be filed by said board, and one copy shall be retained for use by the said board of election at such special election.

Revised register.

Statement filed with county clerk.

4. Immediately after the statement of the result of such election shall be made to the council of the borough of Glen Rock a copy thereof, certified by its clerk, shall be forthwith filed in the office of the county clerk of the county of Bergen; *provided,* the result of said election shall be in favor of the acceptance of this act.

Proviso.

Approved April 8, 1910.

CHAPTER 144.

An Act to annex to the township of Ridgewood, in the county of Bergen, the borough of Glen Rock, in said county.

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

Glen Rock annexed to township of Ridgewood.

1. The borough of Glen Rock, in the county of Bergen, be and the same is hereby annexed to and made a part of the township of Ridgewood, in said county, and the governmental authority of said township of Ridgewood be and the same is hereby extended to and shall be exercised within the boundaries hereby annexed.

Referendum.

2. This act shall take effect immediately; *provided, however,* it shall not operate to effect such annexation of the borough of Glen Rock to the township of Ridgewood until it shall have been accepted by a vote of a majority of qualified voters of the said borough of Glen Rock voting thereon at a special election to be held within said borough on the fourth day of May, one thousand nine hundred and ten, between the hours of six A. M. and six P. M. of said day, at a place within said borough, to be fixed by the clerk of the said borough of Glen Rock. The clerk of said borough shall cause public notice of the time and place of holding said election to be given by advertisement signed by himself and set up in at least ten public places within said borough of Glen Rock and published in one or more newspapers circulating therein at least ten days prior to said election, and said clerk 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 title of this act, and if the word "for" be marked off or defaced upon the ballot it shall be

Notice of election in borough.

Ballots

counted as a vote against the acceptance of said act, if the word "against" is marked off or defaced upon the ballot it shall be counted as a vote in favor of the acceptance thereof, and in case neither the word "for" nor the word "against" be marked off or defaced upon the ballot it shall not be counted either as a vote for or against such acceptance. Such election shall be held at the time and place so appointed and be conducted by the election officers of the election district of the borough of Glen Rock, and official ballots and envelopes shall be used at said election. The officers holding such election shall make returns to the council of the borough of Glen Rock of the result by a statement in writing under their hands, and the same shall be entered at length on the minutes of said borough council and thereupon and upon such adoption, but not otherwise, this act shall in all respects be operative.

Election, how conducted.

Returns.

Register used.

3. The register of voters of the voters within said borough 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 of elections in said borough to make a new registry of voters for such special election, but only to revise and correct the register made for the last general election, and for that purpose the said board shall meet at such place within the said borough as shall be designated by the clerk of said borough one week next preceding said election. Notice of the place so designated shall be given by the clerk by posting in at least five of the most public places of said borough. Said meetings of the board of registry and elections 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 borough at said special election who shall appear in person before them and establish to the satisfaction of the 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 said borough to be entitled so to vote; a separate

Revised register.

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 Bergen county to be filed by said board, and one copy shall be retained for use by the said board of election at such special election.

Statement filed with county clerk.

4. Immediately after the statement of the result of such election shall be made to the council of the borough of Glen Rock a copy thereof, certified by its clerk, shall be forthwith filed in the office of the county clerk of the county of Bergen; *provided,* the result of said election shall be in favor of the acceptance of this act.

Proviso.

Approved April 8, 1910.

CHAPTER 145.

An Act to amend an act entitled "An act concerning District Courts (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 15 amended.

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

Fees paid to constables.

215. From the foregoing shall be paid by the clerk to the following persons:

Constables—

Serving summons on one defendant, ...	$0.60
Serving summons on every additional defendant, ...	.30
Warrant, one defendant, ...	.75
Warrant, each additional defendant, ...	.75
Summons in replevin against one defendant, taking bond, and any inventory, ...	1.50

	Summons in replevin against each additional defendant,	.30
	Scire facias against one person,	.60
	Scire facias against each additional defendant,	.30
	Every execution, or any order in nature of an execution on a judgment or execution against the body,	.75
	Each additional defendant, on execution against body,	.75
	Serving copy of an execution or any order with a jailer,	.25
	Writ of attachment and making inventory,	1.00
	Warrant for possession,	1.00
	Attending jury until agreed on their verdict,	.50
	Posting all notices of attachment,	.35
	Summoning every jury of six men,	.75
	Summoning every jury of twelve men,	1.00
	For every mile of travel in serving any summons on warrant against the body from any District Court, after the first mile, the distance to be computed by counting the number of miles in and out, by the most direct route from the place where process is issued,	.04
Jurors.	Jurors—	
	For all cases tried (per man),	.75
	For all cases summoned and attending, but cause not tried (per man),	.25
	Balance of $0.50 per man to be refunded to party paying for jury.	
Witnesses.	Witnesses—	
	To the execution of writs of attachment,	.50

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 146.

An Act to amend an act entitled "A supplement to an act entitled 'A further supplement to an act entitled "An act to regulate elections," approved April fourth, one thousand eight hundred and ninety-eight,' which further supplement was approved April fourteenth, one thousand nine hundred and three." Approved October twenty-eighth, one thousand nine hundred and seven.

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 is an amendment is hereby amended so as to read as follows:

Petition to place names on primary ticket.

2. Not less than one hundred voters of any political party may file with the county clerk of their county a petition or petitions endorsing any member or members of their political party as a candidate or candidates for the nomination of said party to any public office of any county and requesting that the name of the person or persons so endorsed be printed upon the official primary ballot of such political party. The said petition or petitions shall be signed in the manner and form provided for the signing and filing of nominating petitions under the act to which this act is a supplement, and shall have attached thereto the affidavit and acceptance as required by said act. Said petition or petitions shall be filed with the respective county clerks at least twenty days prior to the time fixed by law for the holding of such primary election, and the said county clerk shall certify all of said nominations to the clerks of each municipality in his respective county at least fifteen days prior to the time fixed by law for the holding of said primary elections, specifying in said certificate the political party to which the person or persons so nominated belong, and said municipal clerks

Time for filing.

Ballot prepared by municipal clerk.

shall each respectively prepare the official primary ballot as required by the act to which this act is a supplement and shall cause to be printed upon the respective tickets for each political party under the name of the office or offices to be filled, the names of all persons so certified as nominated for the respective offices to be filled, in addition to the other names to be printed thereon as required by law. In all cases where more than one person is to be elected to the same or similar office, and the petitioners desire and so request in their petition, the municipal clerk instead of printing the names of the various persons so nominated on the primary ballot, alphabetically, as now provided by law, shall print all of the names so endorsed in said petition consecutively, and shall bracket all of the names in said petition under the names of the offices to be filled.

Arrangement of names.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 147.

An Act to amend an act entitled "An act for the prevention of blindness in the State of New Jersey," approved March eleventh, one thousand eight hundred and ninety-five.

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

Physicians and nurses furnished a copy of fact.

3. Every local board of health in the State of New Jersey shall furnish a copy of this act to every legally qualified practitioner of medicine and to each person who is known to act as a midwife or nurse in the city, township or other municipality for which such board of health is appointed, and the Board of Health of the

State of New Jersey shall cause a sufficient number of copies of this act to be printed and supply the same to each local board of health of this State for distribution.

Section 4 amended.

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

Penalty for violation.

4. Any person violating any of the provisions of this act shall be liable to a penalty of fifty dollars, to be recovered in an action of debt by the local board of health of the municipality in which the violation occurs.

3. This act shall take effect immediately.

Approved April 8, 1910.

CHAPER 148.

An act relating to police departments in cities of this State.

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

Police matron.

1. In all cities of this State now or hereafter having an employe known as police matron in connection with police stations, such police matron shall be appointed by the board or body having charge of the police departments therein.

Permanency of position.

2. All such police matrons now in the employ of such city are hereby transferred to and made a part of the police department thereof, without further appointment or action, and shall not be dismissed except for incapacity, inefficiency, or other just cause, and then only after written charges of cause or causes shall have been preferred against her, signed by the person making same, and filed with the clerk of such board or body, and a copy thereof served upon her and opportunity given to her to answer the same.

Salary.

3. All such police matrons shall receive a salary of not more than seven hundred and fifty dollars per annum, payable semi-monthly.

Repealer.

4. All acts and parts of acts inconsistent with this act be and the same are hereby repealed.

5. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 149.

An Act permitting the retirement on pension from public office after or by reason of permanent disability of officers and employes in all State penal institutions and reformatories.

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

Retirement of prison attendants for disability.

1. Whenever any officer or employe of any State penal institution or reformatory, who, while an employe of such institution, has become permanently disabled in the discharge of his duty, and the same is so certified by the visiting or house physician of said institution, it shall be lawful, with his assent, for the body, board or officers having power to appoint his successor in case of vacancy, to order his retirement from such service, provided that such retirement shall be made with the approval of the Governor.

Pension.

2. In the event of the retirement of any officer or employe as aforesaid, the person so retired shall be entitled for and during his natural life by way of pension to the sum of fifty dollars per month.

Payment.

3. All pensions due and owing under this act shall be paid quarterly by the Treasurer of this State upon the warrant of the Comptroller.

4. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 150.

An Act respecting the improvement of county roads in municipalities and providing for the issuance of bonds in payment of such improvement.

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

Improvement of county road lying within municipality.

1. When any county road, whether constructed under the provision of a road board act or by virtue of authority conferred upon any board of chosen freeholders or otherwise, lies partly within the territory of any municipal corporation, and when, in the judgment of the governing body of such municipal corporation, or of the board in such municipal corporation having control over the streets therein and authorized by law to grade, pave and otherwise improve said streets, it shall be proper to improve so much of such county road as lies within the territory of such municipal corporation by grading or changing the grade of such road, and by regulating or changing the width of the sidewalks thereon, and by setting curbing, and by paving the roadway from curb to curb, and by re-paving the roadway from curb to curb, or any part thereof, with any form or kind of street pavement; and when the board of chosen freeholders of the county in which such county road lies shall by resolution concur in such judgment of the proper authorities of such municipal corporation, then it shall be lawful for such governing body or board in such municipal corporation, and for such 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 and through each of the parties to such agreement. After the execution of such agreement it shall be lawful for the said governing body or board in such municipal corporation to proceed to make such improvement in

Expense divided.

Manner of making improvement.

the same manner in which similar public works are undertaken, contracted for and executed with respect to other streets in such municipal corporation, and on completion thereof the board of chosen freeholders shall pay the part or portion of the expense assigned to such board of chosen freeholders in the said agreement, and the remainder of said expense of such improvement shall be paid, assessed and collected in the same manner as the expense of other street improvement in such municipal corporation, or such municipal corporation may appropriate and borrow such sum or sums for the purpose or purposes aforesaid, and may secure the repayment of the sum or sums so borrowed, together with interest thereon at a rate not to exceed five per centum per annum, by the issue of bonds in the corporate name of such municipality; bonds so issued shall be designated "county road improvement bonds," may be registered or coupon or both, of such denomination as the governing body of such municipality may determine, and shall be made payable in not more than thirty years from the date thereof; shall be sold at public or private sale, and not for less than par and accrued interest; and such municipality shall in its annual tax levy raise money sufficient to pay the interest on said bonds, together with at least three and one-third per centum per annum of the principal thereof, to provide a sinking fund for the retirement of said bonds at maturity.

Bond issue.

Rate.

Name.

Time.

Sinking fund.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 151.

An Act to amend an act entitled "An act concerning district courts" (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 one hundred and eighty of the act to which this is an amendment is hereby amended to read as follows: Section 180 amended.

180. If the requirements of any of the subdivisions of the next preceding section have been complied with, the judge shall make and subscribe an order that execution issue against the goods and chattels of the judgment debtor, and, for want of sufficient goods and chattels, against the body, whereupon execution may issue in accordance with such order as directed in the section next preceding of this act; *provided, however,* that no execution shall be issued against the body of any judgment debtor who is under the age of sixteen years, and where the judgment debtor is above the age of sixteen and under the age of twenty-one years, it shall be within the discretion of the judge, after ascertaining the age of such judgment debtor and the nature of the offense or action complained of, whether such execution against the body shall issue. Execution against goods and chattels, or body. Proviso.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 152.

A Supplement to an act entitled "An act to regulate the practice of courts of law (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:*

As to execution issuing against minors.

1. No execution shall be issued against the body of any judgment debtor who is under the age of sixteen years, and, where the judgment debtor is above the age of sixteen years and under the age of twenty-one years, it shall be within the discretion of the judge, before whom application for such execution is made, after ascertaining the age of such judgment debtor and the nature of the offense or action complained of, whether such execution against such judgment debtor shall issue.

Repealer.

2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

3. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 153.

An Act to fix the salary of the board of aldermen, common council or other governing body of certain towns in this State.

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

Salary of certain councilmen.

1. The annual salary of each member of the board of aldermen, common council or other governing body

of any town in this State governed by special charter shall be and the same is hereby fixed at a sum not exceeding three hundred dollars; *provided,* that this act shall only become operative in any such town when its provisions are accepted by ordinance of the common council, board of aldermen or other governing body thereof. Proviso.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 154.

An Act to provide for a Town Plan and Art Commission in the towns of this State; to enlarge the powers of said towns; and to authorize the borrowing of money and the issuing of bonds in the exercise of such powers.

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

1. This act may be referred to as the "Town Plan and Art Commission Act." It shall apply to all towns of this State (and only to those) which shall accept the provisions thereof as hereinafter provided. The acceptance of the provisions of this act shall be submitted to the qualified voters of any such town at a special election called for that purpose, or at any general election. Such submission shall be had whenever the town council of such town shall by resolution have determined that such question shall be so submitted; and the town council in any such town must adopt a resolution submitting such question on the presentation to it of a petition to that effect signed by at least five per centum of the qualified voters of the said town. Notice of the submission of such question shall be given by advertisement published in the official newspaper or newspapers (if any) of such town, or, if there be none, Name of act. Applicable. Referendum. Submission on petition to do so. Official notice.

in at least two newspapers published in the county and circulating in such town, at least once in each week for two weeks successively immediately preceding the time appointed for such election, and by printed notices posted in at least fifty conspicuous places in such town at least fifteen days preceding the time appointed for such election, which advertisement and notices shall specify and set forth the time, place or places of holding such election, and if a special election, the object and purpose of holding the same, and if a general election, that the question of taking advantage of the provisions of this act will be submitted at the said general election.

Notices to specify.

Election, how conducted.

2. Any special election held under the provisions of this act shall be held and conducted under the general laws respecting elections, and the votes shall be canvassed and counted in the manner provided by law for canvassing and counting votes at general elections held in such town; the ballots shall contain the words

Ballots.

For
"Against a Town Plan and Art Commission"; if the word "against" be stricken out so that the ballot shall read "For a Town Plan and Art Commission," it shall be counted in favor of the proposition; if the word "for" be stricken out so that the ballot shall read "Against a Town Plan and Art Commission," it shall be counted against the proposition; and if the ballot be cast without striking out either the word "for" or the word "against," or with both words stricken out, the ballot shall not be counted as a vote upon the proposition. If a majority of the votes cast at such election upon the proposition to take advantage of this act shall be in favor of taking advantage of this act, then within three days after the result of the election shall have been declared a certificate of the result of such election, signed by the mayor or councilman-at-large of the town and attested by the clerk thereof, together with certified copies of the resolution of the town council, and statement of the board of canvassers or election officers who canvassed the vote, and proof by affidavits that due note of such election was given, shall be filed with the Secretary of State and from and after filing the same this act shall be effective in the said town.

Certificate of adoption filed with Secretary of State.

Official designation.

3. Immediately this act shall become effective in any town of this State there shall be in the said town a commission to be called the "Town Plan and Art Commission," to be appointed in the manner, and to possess the powers and duties hereinafter set forth. The commissio shall consist of seven members, of whom the mayor or councilman-at-large, as the case may be, shall be one, and the other members shall be appointed by the mayor or councilman-at-large, by and with the advice and consent of the town council of the town. At least four of the six members so appointed shall be residents of the town, not members of the council, and not holding any town office for which compensation shall be paid either by way of salary or fees. The remaining two members may be officials of the town. The mayor or councilman-at-large shall serve during his term of office. The six appointive members shall be originally appointed, two of them for two years, two for four years and two for six years, and as their respective terms of office shall expire the vacancies shall be filled for terms of six years each, but any vacancy occurring in an unexpired term shall be filled as upon an original appointment, but only for the unexpired term. The first appointments under this act shall be made within two months after the act shall have become effective in the town. The commission shall annually elect a chairman from its own number, and may appoint a secretary.

Commission, how composed.

Terms.

Officers.

Annual estimate.

4. On or before the fifteenth day of May in each year the said commission shall prepare and deliver to each member of the finance committee of the town council an itemized statement of the amount of money estimated to be necessary for the current expenses of said commission for that year, and this shall be for the information of the town council, which body, in its discretion, may appropriate in the same manner as other appropriations are made by it the amount of such estimate or a portion thereof; and the amount so appropriated shall be assessed, levied and collected in the same manner as moneys appropriated for other purposes in such town shall be assessed, levied and collected.

Appropriation by town council.

Questions of public improvements submitted to commission.

5. All questions concerning the location of any public building, public place, boulevard, parkway, street, avenue, highway, common, playground, square or park shall be referred to said commission by the town council for its consideration and report before final action shall be taken on such location by the town council. If no report be made within sixty days after the receipt of such reference by the commissioners, the council may proceed without a report. If the report shall be adverse the council may proceed only on a subsequent two-thirds vote of the whole town council.

As to street improvements.

6. Whenever the town council shall by resolution adopted by a vote of a majority of all its members and upon the written petition of the commission determine that it is to the interest of the town that streets or sections of streets shall be laid out, opened, straightened, extended, widened or otherwise changed as to their boundary in such town, and that at least one-third of the cost of the improvement shall be paid otherwise than by assessment against the land and real estate especially benefited thereby, the council may initiate a

Proceedings.

proceeding for such improvement in the manner provided for under section sixty-one of the act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five, as amended by the Laws of 1899, chapter 154, except that it shall not be necessary to have presented to the council any petition from the owners of land situate within the town which will be especially benefited by the proposed improvement, but such resolution upon the written petition from said commission when so adopted by a vote of a majority of all the members of the council shall take the place of said petition, and it shall not be necessary in case of such proceeding to require the deposit of any moneys to cover the cost and expense incurred in such proceeding; and at any time after the time named in the notice for objections therein provided for, the council may proceed to pass an ordinance for such improvement; *provided, however,* that such ordinance shall also be passed by a vote of a majority of all the members of

Proviso.

such council. The costs and expenses incurred in the construction of any improvement pursuant to the provisions of this act shall, when ascertained, be assessed upon the land and real estate especially benefited by the improvement in accordance with the above-mentioned act; but the total of such assessment shall not exceed two-thirds of such total costs and expenses and the balance shall be borne by the town.

Benefits assessed.

7. No remonstrance by property owners, such as is provided for in said section sixty-one, shall prevent the town council from proceeding to lay out, widen or extend any street or highway, if said commission shall certify that the public interest and proper planning of the town requires the improvement to be made and the town council, by a vote of a majortiy of all its members, shall concur in that opinion, and shall determine that at least one-third of the cost of the improvement shall be paid from the general funds of the town, which determination and payment are hereby authorized.

Remonstrance not to prevent improvement.

8. The town council may accept a dedication or conveyance to the town of any public place, boulevard, parkway, street, avenue, highway, common, playground, square or park now or hereafter opened or laid out, or proposed to be opened or laid out, by the owners thereof or under any authority other than town authority, only as follows: (a) upon the previous advice and consent of the Town Plan Commission; or (b) if after a reference of the matter by the town council to the Town Plan Commission the commission shall omit to report to the council thereon within sixty days after the receipt by the commission of such reference; or (c) if the Town Plan Commission shall report adversely to the proposed dedication or conveyance the town council may, notwithstanding such dissent, accept such dedication or conveyance upon a two-thirds vote of the whole town council.

As to acceptance of land; approval by commission.

9. In addition to any existing power to acquire land by condemnation, towns which have accepted the provisions of this act shall have power to acquire by purchase lands in the town necessary or proper for any existing or proposed public place, boulevard, parkway, street, avenue, highway, common, playground, square

Acquire land by purchase.

Proviso; approved by commission.

or park, or for the site of any public building; *provided,* that before acquiring the same the purchase shall be approved by the town council after a reference of the question of such purchase to the Town Plan and Art Commission and an affirmative or consenting report thereon by the said commission. If, however, the commission shall fail to report within sixty days after the receipt by it of such reference, the town council may proceed as if the commission had assented. If the commission shall report adversely the council may, notwithstanding, proceed, provided the said purchase shall thereupon be approved by the two-thirds vote of the whole town council. Whenever the town council shall decide that it is necessary in the exercise of the powers conferred by this act to borrow money for any of the purposes in this act set forth, they may appropriate the sum or sums necessary for such purpose or purposes in the same manner as other appropriations are made by them, and borrow and secure the repayment of the sum or sums so appropriated, together with interest thereon at a rate not to exceed five per centum per annum, by the issue of bonds in the corporate name of such town. Bonds so issued shall be designated "Town Improvement Bonds," and shall be of such denominations as such town council or other body may determine, and may be made payable in not more than thirty years from the date thereof. Such bonds may be registered or coupon bonds, or may be registered and coupon bonds combined, at the option of such town council. The proceeds of the sale of such bonds shall be deposited with the town treasurer; *provided, however,* that bonds shall be issued under this section only when, including the bonds thus about to be issued, the total amount of bonds for the purposes named in this section outstanding at the time shall not exceed a sum equal to three per centum of the taxable valuation of the real and personal property in such town.

Borrow money.

Rate.

Bond issue.

Time.

Proceeds.

Proviso.

As to works of art.

10. No work of art shall become the property of the town by purchase, gift or otherwise unless such work of art or design of the same, together with the proposed location of such work of art, shall first have been

submitted to and approved by the Town Plan and Art Commission, nor shall such work of art until so approved be contracted for, erected or placed in or upon, or allowed to extend over or upon any street, avenue, square, highway, common, playground, park or other public place belonging to the town. The commission may, when it deems proper, also require a complete model of the proposed work of art to be submitted. The term "work of art" as used in this section shall apply to and include all mounments, fountains, mural decorations, sculptures, and all bridges and other structures of a permanent character intended for ornament or commemoration. Definition.

11. The approval of the commission, in respect of the æsthetic features of the subjects mentioned below, shall be necessary before any contract or order is made or given, by any town authority, for the following purposes: When approval of commission necessary.

(1.) The construction of any public building or bridges or the approaches, gates, fences or other structures appertaining thereto; Bridges, fences, etc.

(2.) The laying out of public streets or grounds; Streets.

(3.) The construction of any buildings or structures by persons or corporations upon or over highways, public places or other public property. Buildings over highways, etc.

Plans or designs of such proposed buildings and structures and of the proposed layout of such streets or grounds, sufficient to show their respective æsthetic features, shall be submitted to the commission upon its request. And it shall be taken as approving any such improvement referred to it, unless it disapproves within sixty days after receiving notice of such reference, or within like time from the submission to it of plans or designs, if they be requested. If within the said period the commission shall disapprove any such improvement so referred to it, the improvement may, notwithstanding, proceed, provided the same shall thereafter receive the assent and approval of two-thirds of the whole town council. Plans must be submitted. As to disapproval.

12. If at any time the Town Plan Commission shall submit to the town council a general plan or scheme for the improvement of the town, or a considerable por- General plan of civic improvement

tion thereof, by the laying out, acquirement or enlargement of public places, boulevards, parkways, streets, avenues, highways, commons, playgrounds, squares or parks, or sites of public buildings, or any one or more of such improvements, the town council may, if it shall deem best, before adopting said plan or scheme, or any part thereof, or before authorizing the expenditure of money in its execution of the same, or any part thereof, or the issuance of bonds to raise money therefor, submit the acceptance of the said general plan or scheme, or of some specified part thereof, or the issuance of bonds to raise money therefor, or one or more of such questions, to the qualified voters of the town at a special election called for that purpose, or at any general election. Notice of the submission of the question or questions shall be given by advertisement and posting in the same manner as is prescribed in the first section of this act on the question of the acceptance of this act.

Acceptance submitted to voters.

Ballots.

The ballots shall contain the

For For

words "Against the Town Improvement" or "Against the Bond Issue not exceeding $..... for Town Improvement." The election shall be regulated, conducted and certified as set forth in the second section of this act. Notwithstanding such election, the town council, with the consent of the Town Plan and Art Commission, shall have the right, by vote of a majority of all the members of the council, to make modifications in or amendments to the said general plan or scheme of improvement, not essentially changing the nature of the improvement nor increasing the amount of bonds to be issued therefor.

Election, how conducted.

Right to modify scheme.

Definition.

13. Throughout this act the words "town council", wherever used, shall include the appropriate governing body having jurisdiction of the matters respectively to which those words refer.

14. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 155.

A Supplement to an act entitled "An act to establish and regulate the State Home for Boys (Revision of 1900)," approved March twenty-second, one thousand nine hundred.

WHEREAS, The Trustees of the State Home for Boys are desirous of acquiring land in exchange for land which it now owns for the purpose of protecting the water-supply for said institution; therefore Preamble.

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

1. The Trustees of the State Home for boys are hereby authorized to deed to Frederick W. Roese such portion of the land now owned by the Trustees of the State Home for boys as they may deem advisable, and to acquire by purchase from said Frederick W. Roese such portion of the land owned by the said Frederick W. Roese as may be necessary in order to protect the water-supply of said Home. The total cost of the land acquired by the said trustees shall not exceed the sum of seventy-five dollars, exclusive of the land to be conveyed to said Frederick W. Roese; *provided, however,* that no conveyance shall be made to the said Frederick W. Roese or land be acquired by the said trustees except the same shall first be approved by the Governor of this State. Exchange of land. Cost. Proviso.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 156.

An Act regulating fishing in the Mullica river and its tributaries.

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

Net fishing.

1. Hereafter it shall be unlawful to fish with any net in the Mullica river, or any of its tributaries, between the fifteenth day of February and the first day of November in each year; *provided,* however, that drifting gill nets may be used in said river and tributaries during the months of May and June, of each year, for the purpose of taking shad and weakfish only; *provided further,* that herring may be taken with any net during the months of April and May in each year above Greenbank bridge, on said Mullica river, and the Wading river bridge, on Wading river, and Bass river bridge, on Bass river, said two last named rivers being tributaries of the Mullica river aforesaid.

Proviso.

Proviso.

Hauling seine prohibited.

2. It shall be unlawful at all times to use a hauling seine on flats in said Mullica river or any of its tributaries.

Penalty.

3. Any person violating any of the provisions of this act shall be liable to a penalty of fifty dollars for each offense.

Repealer.

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

Approved April 8, 1910.

CHAPTER 157.

A Supplement to an act entitled "An act concerning District Courts" (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:*

Salary of judge and clerk in fourth class city on ocean.

1. Whenever the population of any city of the fourth class, located on the Atlantic ocean, in which there is now or may hereafter be constituted and established a District Court, as ascertained by any State or federal census, is more than thirty-five thousand, the judge of the District Court of said city shall receive an annual salary of three thousand dollars ($3000.00), and the clerk of the said District Court shall receive an annual salary of fifteen hundred dollars ($1500.00).

Repealer.

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

Approved April 8, 1910.

CHAPTER 158.

An Act to authorize the Passaic Valley Sewerage Commissioners to enter into a stipulation and contract with the United States, concerning the construction, maintenance and operation of any sewer built or managed by them and discharging into New York Bay, and concerning the character and effects of the sewerage carried by such sewer into New York Bay.

Preamble.

WHEREAS, A suit in equity is now pending in the Supreme Court of the United States between the

people of the State of New York, complainants, and the State of New Jersey and the Passaic Valley Sewerage Commissioners, defendants;

AND WHEREAS, The United States has intervened in said suit;

AND WHEREAS, For the purpose of settling the controversy between the United States and defendants in said suit it is proposed that the Passaic Valley Sewerage Commissioners enter into a stipulation and contract with the United States, such as said Passaic Valley Sewerage Commissioners are hereinafter authorized to make;

AND WHEREAS, The United States proposes, upon the execution of such stipulation and contract, to dismiss or cause to be dismissed its intervention in said suit, and not again to intervene therein;

AND WHEREAS, Doubt has arisen as to the authority of said Passaic Valley Sewerage Commissioners under existing law to enter into such stipulation and contract;

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

Contract concerning sewers and sewage discharging into New York bay.

1. The Passaic Valley Sewerage Commissioners are hereby authorized and empowered, for themselves and their successors, to enter into a stipulation and contract with the United States concerning the manner in which any sewer made or managed by said Passaic Valley Sewerage Commissioners and discharging into New York Bay shall be constructed, maintained and operated and concerning the character and effects of the sewage discharged by said sewer into New York Bay, and concerning the terms or conditions in reference to the construction, maintenance, operation or effects of such sewer, which said Passaic Valley Sewerage Commissioners consent to have introduced into such permits as may be requisite under the statutes of the United States for the construction, maintenance or operation of said sewer; it being agreed in such contract on the part of the United States, through its Attorney-General, that upon the execution of such stipulation and contract

the United States will dismiss, or cause to be dismissed, its intervention in the suit above mentioned, and will not again intervene in such suit.

2. This act shall take effect immediately.

Approved April 8, 1910.

CHAPTER 159.

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. Section seventy-six of the act to which this act is a supplement is hereby amended to read as follows: Section 76 amended.

76. When a rule for a struck jury shall be entered in any criminal case the court granting such rule may, on motion of the prosecutor, or of the defendant, or on its own motion, select from the persons qualified to serve as jurors in and for the county in which any indictment was found, whether the names of such persons appear on the sheriff's book of persons qualified to serve as jurors in and for such county or not, sixty names, with their places of abode, from which the prosecutor and the defendants shall each strike twelve names in the usual way, and the remaining thirty-six names 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. Selection of struck juries.

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

Approved April 9, 1910.

CHAPTER 160.

An Act to cure defective execution of deeds and conveyances by executors and administrators.

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

Validating defective conveyances given by executors or administrators.

1. Whenever any executor or executors, administrator or administrators heretofore authorized by any order of a court of this State or by any law of this State, or empowered by any will duly executed and proved according to the laws of this State, to execute and deliver deeds and conveyances for lands, tenements and hereditaments has or have failed to convey the title of the testator or intestate of said lands, tenements and hereditaments as he or they are so authorized to convey, by reason of any informality or irregularity in the recitals or subject-matter contained in said deed or conveyance, or by reason of the omission of the word "heirs" in the granting and habendum clauses of said deed or conveyance, or by reason of any informality or irregularity in the execution thereof, such informality, ommission or irregularity shall not affect the title intended to be conveyed by said deed or conveyance, but such deed or conveyance shall convey the title of said testator or intestate in any of said lands, tenements and hereditaments as effectually as though such informality, omission or irregularity had not existed or did not exist, and as though such testator or intestate had himself or themselves in his or their lifetime executed said deed or conveyance.

Repealer.

2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Act construed.

3. This act shall be construed as a remedial statute and shall take effect immediately.

Approved April 9, 1910.

CHAPTER 161.

An Act to amend 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. The one hundred and fifteenth section of the act to which this act is amendatory is amended so that the same shall read as follows: Section 115 amended.

115. Any person who shall have carnal knowledge of a woman forcibly against her will, or shall aid, abet, counsel, hire, cause or procure any person or persons to commit the said offense, or who, being of the age of sixteen or over, shall unlawfully and carnally abuse a woman-child under the age of twelve years, with or without her consent, shall be guilty of a high misdemeanor, and punished by a fine not exceeding five thousand dollars, or imprisonment at hard labor not exceeding thirty years, or both, or who, being of the age of sixteen or over, shall unlawfully and carnally abuse a woman-child over the age of twelve years and under the age of sixteen years, with or without her consent, shall be guilty of a high misdemeanor, and punished by a fine not exceeding two thousand dollars, or imprisonment at hard labor not exceeding fifteen years, or both. Penalty for rape.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 162.

An Act to amend an act entitled "An act relative to morgues and morgue-keepers," approved March fourth, one thousand eight hundred and seventy-nine.

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

Morgue keeper.

2. The judge of the Court of Common Pleas shall have power to appoint a keeper or keepers for said morgue or morgues for a term of three years from the date of their appointment, and to define their respective districts, which keepers shall be required to take in charge the unknown dead in their respective districts in said counties; to furnish, free of charge, suitable rooms for the holding of all inquests, should they be deemed necessary, and to make such disposal of the bodies as the proper authorities may direct; *provided, however,* that the said judge of the Court of Common Pleas may at any time in his discretion remove said morgue-keeper or keepers and appoint a keeper or keepers for the term specified in this act in the place of the keeper or keepers so removed.

Proviso.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 163.

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.

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

Agreement to improve road by municipality and county.

1. When any regularly laid out road lying in any municipality, and when, in the judgment of the committee, board or body having charge of the roads in such municipality it shall be proper to permanently improve any such road or portion thereof as lies within the said municipality with any form or kind of material capable of making a road of a permanent nature, and when the board of chosen freeholders of the county in which said road lies shall, by resolution, concur in such judgment of the said committee, board or body, then it shall be lawful for said committee, board or body, and for such 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 and through each of the parties to such agreement. Such agreement shall also include the specifications for the improvement of such road or roads, the plan under which the road is to be built, and if by contract, then such agreement shall provide for the advertising for proposals, the awarding of the contract, together with all other matters or things necessary to be done in connection therewith, and the board of chosen freeholders shall pay its proportion of the part or portion of the expense assigned to such board of chosen freeholders in the said agreement, and the remainder of such expense of improvement shall be paid, assessed and collected in the same manner as the

Nature of agreement.

expense of other road improvements in such municipality.

May issue bonds.

2. For the purpose of raising the money necessary to so permanently improve any road or roads, pursuant to the provisions of this act, the board of chosen freeholders or the committee, board or body having charge of such road or roads so improved or to be improved under the provisions of this act, may appropriate and borrow such sum or sums of money for the purpose aforesaid as may be necessary, and may secure the repayment of the sum or sums so borrowed, together with interest thereon, at a rate not to exceed five per centum per annum, by an issue of bonds in the name of such county or municipality; bonds so issued may be registered or coupon, or both, of such denomination as the board of chosen freeholders or said committee, board or body shall approve; they shall be made payable in not more than thirty years from the date thereof, and shall be sold at public or private sale, and not for less than par and accrued interest; such municipality shall in its annual tax levy raise money sufficient to pay the interest on said bonds, together with, at least, three and one-third per centum per annum of the principal thereof, to provide a sinking fund for the retirement of such bonds at maturity.

Rate.

Time.

Sinking fund.

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 164.

A Further 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:*

When unlawful to deal in warehouse receipts.

1. It shall be unlawful to negotiate, issue, sell, assign, transfer, or deal with any receipt, or substitute

for the same, designed to be understood as a warehouse receipt, or a receipt or voucher that goods, wares, or merchandise are stored or deposited in any warehouse, or other place of storage, in or out of this State, if such goods, wares and merchandise are not so deposited and held on storage by the person, firm or corporation issuing such receipt or voucher, or if such receipt, duplicate, or voucher shall not be the only receipt, duplicate or voucher issued against the same goods, wares and merchandise, unless such receipt, substitute or voucher be plainly marked duplicate.

Penalty.

2. Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment not exceeding five years, or by a fine not exceeding one thousand dollars, or both.

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 165.

A Supplement to an act entitled "An act to provide means for protection against fires in townships," approved March tenth, one thousand eight hundred and seventy-nine.

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

Fire protection in townships.

1. It shall be lawful for the township committee of any township in this State, and they are hereby authorized and empowered, to enter into contract with any volunteer fire company or companies, now or hereafter organized in such township, for the purpose of extinguishing fires; and the amount or amounts to be paid such fire company or companies shall be paid out of the moneys raised by the general tax levy and paid in the same manner as other moneys are paid by such

township committee. The fire company or companies entering into such contract shall be under the supervision and control of the township committee and shall be considered as doing public fire duty.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 166.

A Further Supplement to the act entitled "An act to establish public parks in certain counties in this State, and to regulate the same," approved March fifth, one thousand eight hundred and ninety-five.

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

Bond issue for park purposes in counties.

1. To meet the further expenses to be incurred under the provisions of the act to which this a further supplement for the acquisition, development and improvement of parks and parkways in any county in this State in which said act shall or may hereafter be in force, and in which the sum limited in said act and in any supplement thereto shall have been already appropriated, the board of chosen freeholders of the said county shall, from time to time, on the requisition of the said Board of Park Commissioners, in the name and on the credit of the said county, borrow money by issuing the bonds of the said county to a sum not exceeding in the aggregate one hundred and fifty thousand dollars ($150,000) over and above the total amount theretofore issued, such bonds to run for a term not exceeding fifty years, to bear interest at a rate not exceeding four per centum, payable semi-annually; such bonds shall not be sold or disposed of at less than their par value, and may be made payable at any place which the said board of chosen freeholders may determine, and they shall also determine the form of the

Amount.

Time.
Rate.

bond. A sinking fund shall be established by the said board of chosen freeholders on the issuing of any such bonds sufficient, with the accumulations thereof, to extinguish the principal of the said bonds so issued when due. The interest and principal of the bonds issued under the authority of this act shall be the debt or obligation of the county wherein they are issued, and the payment thereof shall be provided for by taxation in the same manner that other debts and obligations of the county are provided for by taxation. The proceeds of the sale of said bonds after deducting expenses for negotiating the same and for engraving and all other expenses connected with their issue and sale, shall be paid over to the said park commission.

Sinking fund.

Proceeds.

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 April 9, 1910.

CHAPTER 167.

An Act to amend an act entitled "Supplement to an act entitled 'An act to provide for the planting and care of shade trees on the highways of the municipalities of this State,' approved March twenty-eighth, one thousand eight hundred and ninety-three," which supplement was approved April thirteenth, one thousand nine hundred and eight.

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

1. Section one of an act entitled "Supplement to an act entitled 'An act to provide for the planting and care of shade trees on the highways of the municipalities of this State,' approved March twenty-eight, one thousand eight hundred and ninety-three," which supplement was approved April thirteenth, one thousand nine hundred and eight, is hereby amended to read as follows:

Section 1 amended.

Park commission to care for trees.

1. In any city or town in this State in which a park commission now exists, the governing body invested with the power of adopting the act to which this is a supplement, may, in the resolution adopting said act, provide that the said park commission also act as a shade tree commission, in which event the park commission shall also act as a shade tree commission; and the act to which this is a supplement, and the amendments thereof and supplements thereto, shall take effect in said city or town, except that no independent shade tree commission shall be appointed.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 168.

A Supplement to an act entitled "An act concerning building and loan associations," approved April eighth, one thousand nine hundred and three, being Chapter 218 of laws of 1903.

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

Shares held in trust to become property of beneficiary on death of trustee.

1. Whenever any shares of stock in any building and loan association shall have heretofore been issued or shall hereafter be issued to any person in trust for another, and no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to the association, in the event of the death of the trustee, the amount due on said shares, or any part thereof, together with the profits, earnings or interest thereon, shall be the sole property of the person for whose benefit the shares were issued, and may be paid to such person if of the age of sixteen years and upwards, or to the legal representatives of such person if under the age of sixteen years.

Approved April 9, 1910.

CHAPTER 169.

An Act concerning tuberculosis and to repeal an act entitled "An act concerning tuberculosis," 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:*

Tuberculosis a dangerous disease.

1. Tuberculosis is hereby declared to be an infectious and communicable disease, dangerous to the public health.

Physicians to report cases.

It shall be the duty of every physician in the State of New Jersey to report in writing signed by him the name, age, sex, color, occupation, place where last employed, if known, and address of every person known by the said physician to have tuberculosis to the local board of health of the city, borough, town or other municipality in this State in which said person resides, within forty-eight hours after such fact comes to the knowledge of said physician.

Chief officials to report.

It shall also be the duty of the chief officer having charge for the time being of any hospital, asylum, prison or other private or public institution in said State of New Jersey to report in like manner the name, age, sex, color, occupation, place where last employed, if known, and previous address of every patient having tuberculosis who comes into his care or under his observation, within forty-eight hours thereafter.

Sputum examined.

2. It shall be the duty of every local board of health of the city, borough, town or other municipality in this State, when so requested by any physician, or by the authorities of any hospital or dispensary, to make or cause to be made a microscopical examination of the sputum forwarded to him as that of a person having symptoms of tuberculosis, which shall be forwarded to such officer, accompanied by a blank giving name, age, sex, color, occupation, place where last employed,

if known, and address of the person whose sputum it is. It shall be the duty of said local board of health to make a report of the results of such examination, free of charge, to the physician or person upon whose application the same is made. Furthermore, on the thirtieth day of June and the thirty-first day of December in each and every year every physician making such report or reports as in this section required shall be entitled to receive from the officer to whom such report or reports shall have been made during the preceding six months a certificate in writing, under the hand of such officer, setting forth the number of names of persons he has reported to have been afflicted with tuberculosis, which certificate, when presented by such physician to the proper disbursing officer of the city, borough, town or other local municipal government or township within which such afflicted person may have been, shall entitled such physician to receive from such disbursing officer the sum of ten cents for each and every name by such certificate certified to have been reported, unless such notification shall be found to have been erroneous.

Semi-annual settlements with physicians.

Fee.

Health officers to report cases.

3. It shall be the duty of every local board of health or representative thereof of a city, borough, town or other municipality in this State to cause all reports made in accordance with the provisions of the first section of this act, and also all results of examinations showing the presence of the bacilli of tuberculosis, made in accordance with the provisions of the second section of this act, to be recorded in a register of which it shall be the custodian. Such register shall not be open to inspection by any person other than the health authorities of the State and of the said city, borough, town or other municipality in this State, and said health authorities shall not permit any such report or record to be divulged so as to disclose the identity of the persons to whom it relates, except as may be necessary to carry into effect the provisions of this act.

Register.

Notice and cleaning of infected premises by local health boards.

4. When notified of the vacation of any apartment or premises the local board of health, or a duly appointed representative thereof, shall, within twenty-four

hours thereafter, visit said apartment or premises, and shall order and direct that, except for purposes of cleaning or disinfection, no infected article shall be removed therefrom until properly and suitably cleaned or disinfected, and said local board of health or representative thereof shall forthwith disinfect at public expense such apartments or premises in order that they may be rendered safe and suitable for occupancy.

Dispositions of secretions.

5. Any person having tuberculosis who shall dispose of his sputum, saliva or other bodily secretion or excretion so as to cause offense or danger to any person or persons shall be deemed guilty of a nuisance. Any persons subjected to such a nuisance may make complaint in person or in writing to the local board of health of any city, borough, town or other municipality in this State where the nuisance complained of is committed. It shall be the duty of the local board of health receiving such complaint, or whenever it has notice of the existence of such a nuisance, to investigate, and if it appears that the nuisance causing offense or danger to any person exists, the local board of health shall serve a notice upon the person who has committed said nuisance, reciting the alleged cause of offense or danger, and requiring him to dispose of his sputum, saliva and other bodily secretion or excretion in such a manner as to remove all reasonable cause of offense or danger. Any person failing or refusing to comply with the orders or regulations of the local board of health of any city, borough, town or other municipality in this State requiring him to cease to commit such nuisance, shall be deemed guilty of a misdemeanor.

Notice to cease.

Failure to comply.

Printed matter furnished physicians.

6. It shall be the duty of the local board of health to transmit to the physician reporting any case of tuberculosis a printed requisition, in a form approved by the board of health of the State of New Jersey, and printed by the local health authorities, and issued in sufficient number to supply local physicians. Upon this requisition blank shall be named the materials kept on hand by the local board of health for the relief and prevention of the spread of tuberculosis. Any physician may return a duly signed requisition to the local board of

health for such of the specified materials and in such amount as it may deem necessary to aid him in preventing the spread of the disease, and the board of health shall honor in reasonable quantities such requisition.

Circular of information supplied.

It shall be the duty of every local board of health to have on hand in reasonable quantities a circular of information concerning the methods of treatment of tuberculosis and of the precautions necessary to avoid transmission of the disease to others, and to transmit a copy or copies thereof to every physician reporting any case of tuberculosis, or to the person reported as suffering from this disease; *provided,* the latter has no attending physician.

Proviso.

Penalty.

7. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than five hundred dollars.

Repealer.

8. An act entitled "An act concerning tuberculosis," approved April twenty-first, one thousand nine hundred and nine, be and the same is hereby repealed.

9. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 170.

An Act to authorize the acquisition of land and the erection of an armory thereon in the city of Elizabeth, County of Union, New Jersey.

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

Armory in Elizabeth.

1. The State Military Board is hereby constituted a committee to select, purchase or otherwise acquire, in behalf and in the name of the State of New Jersey, a suitable site in the city of Elizabeth for the erection of an armory for the use of the Second Battalion, Second Regiment of the National Guard of the State of New

Jersey, and to cause an armory to be erected thereon, as an armory for the use of said Second Battalion, Second Regiment, of the National Guard of the State of New Jersey, and suitably equip the same with the necessary range or ranges suitable for target practice, and with all necessary fittings, furnishings and apparatus for heating the same; *provided, however,* that the State of New Jersey shall not be obliged to pay more than one hundred thousand dollars for the entire cost of purchasing the necessary lands and erecting and equipping such armory as aforesaid. Proviso.

2. For the payment of the expenses herein authorized, the Comptroller of the Treasury shall draw his warrant on the State Treasurer, and the State Treasurer shall pay the same from time to time as said commission shall certify to the Treasurer to be necessary, and to such person or persons as they may designate, but not more than fifty thousand dollars shall be drawn from the State Treasury in one year for the purchase or other acquisition of such land and premises or the erection of such armory as aforesaid; *provided, however,* that no money shall be paid from the treasury for the purchase or other acquisition of such land or erection of such armory until the amount determined to be necessary for the purchase or other acquisition of such land and the erection and equipping of such armory shall be determined and the whole or part thereof shall be appropriated by the Legislature for such purpose. The commission may, however, ascertain the amount necessary for the purpose of acquiring the necessary lands and cause plans and specifications to be prepared and bids or proposals to be made thereon for the purpose of ascertaining the necessary amount of money to be appropriated. Appropriation. Proviso. Plans prepared.

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 171.

An Act concerning the repair of county roads where the State Commissioner of Public Roads is authorized to use State funds in payment of the whole or part of such repairs, and authorizing the boards of chosen freeholders to issue bonds for their share of the cost of such repairs.

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

Extraordinary repairs made from State funds.

1. Wherever any county road in this State now is or hereafter may be in need of extraordinary repairs, and the board of chosen freeholders of such county desires that the cost or a portion thereof be paid out of State funds, it shall prepare specifications showing the repairs contemplated and forward the same to the State Commissioner of Public Roads, and said Commissioner is authorized, in his discretion, to approve of such specifications, and to state what amount of State moneys he will use for the purpose out of any State funds created for the repair of such roads, and so certify to such board; and thereafter such board may award a contract for the repair of such road under this act, on bids duly advertised for, with the approval of the State Commissioner of Public Roads, and such road shall be repaired under his supervision.

Contract.

May issue bonds.

2. If such board of chosen freeholders shall not have sufficient funds wherewith to pay its share of the cost of such repairs, then it shall and may be lawful for such board to issue the bonds of the county, in a sum not exceeding the sum to be advanced by the State Road Commissioner for and towards such repairs as stated in his certificate, to defray and pay its share of the cost; which bonds shall run not exceeding five years from their date, shall bear interest at not exceeding

Time.

Rate.

five per centum per annum, shall be executed in the manner that bonds of such county are usually executed, and may be sold at public or private sale for not less than par; and such board shall annually thereafter place in the tax levy a sufficient sum to pay the interest on said bonds as it matures, and a further sum which, with the accumulations thereof, will be sufficient to pay off and discharge said bonds at maturity.

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 172.

An Act for the protection of the wild or passenger pigeon.

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

1. It shall be unlawful to capture, kill, injure or have in possession living or dead, or attempt to capture, kill, or injure any wild or passenger pigeon, under a penalty of two hundred and fifty dollars for each offense. Wild pigeons protected. Penalty.

2. It shall be unlawful for any person to destroy, attempt to destroy or interfere in any manner with the nest or eggs of any wild or passenger pigeon under a penalty of two hundred and fifty dollars. Nests and eggs.

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 173.

An act to amend an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five.

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

Section 60 amended.

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

Powers of council.

60. That the council shall have power and they are hereby authorized by ordinance—

Lay out and open streets.

To lay out, open, vacate, straighten, widen and extend any street, avenue or highway, or any part or section thereof, and to take and appropriate for such purpose any necessary lands and real estate upon making compensation to the owners thereof, as hereinafter provided; to provide for grading and altering the grade of streets and avenues in the town, and filling, macadamizing, guttering, curbing, bridging, planking, graveling, paving, and repairing the same; to make and adopt a general plan of sewerage and drainage for such town or any section thereof, conformably to which all sewers, drains, receiving basins and all other appurtenances of public drainage shall be made; to provide for the building and constructing of public sewers and drains, and for taking land and real estate for building the same and for acquiring an outlet for sewers over and through lands in adjoining municipalities; *provided,* that the consent of such adjoining municipality and of such other municipality (if any) as may in any manner be affected by such outlet shall be to that end first obtained; *provided, however,* that no ordinance for any of such purposes shall be passed except in the manner hereinafter stated, and unless it shall receive the votes of two-thirds

Provide sewerage and drainage.

Proviso.

Proviso.

of the members of the council; *and provided further*, that any such ordinance may be introduced and passed at the same stated meeted of the council. Proviso.

2. Section sixty-one of the act to which this is an amendment, as said section was amended by act approved March twenty-fourth, one thousand eight hundred and ninety-nine, be and the same is hereby amended so as to read as follows: Section 61 amended.

61. Streets or sections of streets may be laid out, opened, vacated, straightened, extended, widened or otherwise changed, as to their boundaries, in the following manner and not otherwise: A petition in writing setting forth the improvement desired, and that the signers thereof are owners of lands situate within the town which will be specially benefited by the proposed improvement, shall be presented to the council at a stated meeting thereof, if the council favors the proposed improvement, and if in its judgment the petition is signed by the owners of land situate within the town which will be specially benefited by the improvement petitioned for, it may, at any stated meeting, adopt a resolution declaring that it favors the improvement petitioned for, and that in its judgment the persons signing the petition are owners of lands situate within the town which will be specially benefited by the improvement petitioned for, and referring it to the commissioners of assessment, who shall proceed thereon in the manner hereinafter directed; said resolution shall also require the petitioners to deposit with the town treasurer such sum of money (to be therein stated) as the council shall deem necessary to cover the cost and expense incurred by the town, if such an ordinance for such improvement shall not be thereafter adopted, which sum shall in such case be applied to the payment of such costs and expenses, and the excess, if any, shall be returned to the person or persons depositing the same; and in case an ordinance for such improvement shall be thereafter adopted, such sum shall be returned in full, without interest, to the person or persons depositing the same, and the said commissioners of assessment shall not proceed in said matter until the town treasurer shall have certified to them that the sum

Procedure in laying out and improving streets.

Petition.

Deposit to cover cost.

specified in said resolution shall have been deposited with him; the commissioners of assessment shall be assisted in such manner as they shall require by a town surveyor, not interested in the improvement petitioned for, who shall be appointed for that purpose by the town council; the said commissioners shall make or cause to be made a map or maps showing all the lands, real estate and improvements to be taken for the proposed improvement and all the lots and parcels of land within the town which in the judgment of said commissioners will be specially benefited thereby, designating each lot and parcel on said map by a letter or number; said commissioners shall also ascertain, so far as practicable, the name of the owners of said real estate to be taken and property to be benefited, and the interest of each of the owners of real estate to be taken, and when such names or estates are not known they shall so report; they shall also appraise the value of the interest of each known owner of real estate to be taken and the damage to be done to such owner by taking the same; and where the estates in any plot of land are unknown they shall appraise the value of or the damage done to the fee-simple; said commissioners shall also estimate all other expenses likely, in their judgment, to attend the completion of the improvement; said commissioners shall also estimate the amount likely to be realized from the sale of any buildings, or parts of buildings, required to be taken on account of said improvement, and shall also determine the probable net cost of making the improvement; this probable net cost they shall then assess upon the land to be specially benefited, in proportion to the benefit to be received; thereupon they shall, under their hands, make a report of the facts ascertained and of the appraisements, estimates, determination and assessments made by them concerning said improvement, and shall present such report and their map to the council at a stated meeting thereof, which body shall then or at a stated meeting to be held thereafter, fix a time and place when and where it will meet to consider all objections in writing to said report or to the proposed improvement, shall cause a notice of the

Town surveyor.

Value of real estate taken appraised.

Cost of improvement estimated.

Cost assessed on lands benefited.

filing of said map and report to be printed in the official newspaper in the town, or, if there be none, in a newspaper published in the county and circulating in the town, for two weeks successively next preceding the said time fixed by the council, at least once in each week, which notice shall contain a general description of the improvement intended, of the land to be taken, and of the land to be assessed therefor, and shall state the time and place when and where the council will meet to hear and consider any objections to said report or to the improvement, which may be presented in writing; said clerk shall also post copies of such notice in five public places of the town at least ten days prior to the said time fixed by the council for the hearing of objections, and shall also, at least five days prior to said time, serve a copy of such notice upon resident owners of real estate affected thereby, but the omission of the clerk to serve such notice shall not invalidate any of said proceedings; and all objections at such time and place, presented in writing, the council shall consider and adjudicate upon, and the council may alter, amend, adjust, increase or diminish any award without further or other notice to the person or persons interested therein; *provided, however,* that no resolution altering, amending, adjusting, increasing or diminishing any award or awards shall be passed or adopted except by or upon the affirmative vote of at least two-thirds of all the members of the council, nor shall any such resolution be passed or adopted at any other than a stated meeting; if the said council shall then determine to make said improvement, notwithstanding any objections to the same, the said council shall confirm said awards, as altered, amended, adjusted, increased or diminished, and pass an ordinance ordering said improvement to be made and completed in such manner as said council may direct, under the supervision of said commissioners of assessment; *provided,* the said council shall not proceed to make any such improvement if the owners of the property subject to more than two-thirds of the assessment for the improvement shall remonstrate against the same being

Report advertised.

Notice of hearing.

Proviso.

Proviso.

made; the said council shall also pass a resolution directing the several sums awarded to be paid to the persons to whom the awards are made for real estate taken and damages sustained in making said improvement, and upon the passage of such resolution the fee simple of said real estate to be taken shall be vested in the town; *provided,* that where the commissioners shall have reported the name or estates of the owners of any plot as unknown, the said resolution shall direct the sum of the award on account of such plot to be paid to the owners thereof, when and as their interest may appear, and any such owner or person interested in said land may, by bill in chancery, according to the practice of that court, have the said sum distributed or in whole or in part paid over to him as law and justice may require; after the completion of said improvement, the said commissioners shall ascertain and determine the actual net cost thereof, and shall assess, as hereinafter provided, such actual net cost upon the lands specially benefited in proportion to the benefits received.

Proviso.

Repealer.

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

Approved April 9, 1910.

CHAPTER 174.

An Act to amend an act entitled "A supplement to an act entitled 'An act relating to and providing for the government of cities of this State, containing a population of less than twelve thousand inhabitants,' approved March twenty-fourth, one thousand eight hundred and ninety-seven," approved April fourteenth, one thousand nine hundred and eight.

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

1. Section ten of the act to which this is an amendment shall be and the same is hereby amended so as to read as follows: Section 10 amended.

10. The common council shall have power to issue improvement certificates payable at five years or less, with interest, for the cost of any improvement provided for in the act to which this is a supplement, when certified as correct by the engineer in charge of the work, in anticipation of the collection of the assessments made and taxes levied for said improvement; and after contract awarded for any such improvement common council shall have power to make temporary loans in anticipation of the issuing of any such improvement certificates. Improvement certificates. May make temporary loans.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 175.

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.

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

Patients allowed to visit on order of superintendent.

1. The Superintendent of the New Jersey State Village for Epileptics is hereby authorized to permit any patient to return to his or her parent, relatives or guardian on a visit for such length of time as the said Superintendent, by his order, in writing, shall direct, but such patient when on such a visit shall be deemed to be in the legal custody of the said Superintendent, and subject to be retaken and returned to the said Village at any time after the expiration of the time fixed in the aforesaid order, and an order made by the said Superintendent and directed to any officer or employe of said State Village for Epileptics, directing said officer or employe to retake and return said patient to said State Village for Epileptics, shall be a sufficient warrant and authority for said officer or employe in retaking and returning the patient as aforesaid. In

Return after escape.

case of the escape of a patient from said institution, the said Superintendent shall, by an order in writing, directed to any officer or employe of said institution, order said person to retake and return said patient to said Village, and said order shall be a sufficient warrant and authority for said officer or employe to retake said patient and return him as aforesaid.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 176.

An Act to enable any city in this State to buy land and build a new almshouse and furnish same, and also to sell lands and buildings now used for such purpose.

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

Almshouse in city of first class.

1. When in any such city of the first class in this State the common council or other board or body having charge of the finances thereof shall adopt a resolution declaring the almshouse in use in said city to be inadequate and unsuitable for such purpose, then and in that case the common council or other board or body having charge of the finances thereof may in its discretion buy land within or without such city and build and furnish a new almshouse.

Temporary bond issue.

2. That to enable such city to obtain the money requisite for the purpose aforesaid such city may issue its temporary loan bonds bearing interest at a rate not exceeding five per centum per annum and may renew the same from time to time until the work so authorized to be constructed shall be completed, but at no time shall more than three hundred thousand dollars in temporary loan bonds be issued for the purchase of lands and erection and furnishing of said almshouse as aforesaid.

Rate.

Amount.

Permanent bond issue.

3. When such almshouse shall have been fully completed and furnished, the common council or other board or body having charge of the finances of such city shall issue the permanent bonds of such city to an amount not exceeding three hundred thousand dollars; said bonds shall run for a period not exceeding thirty years and shall bear interest at a rate not exceeding five per centum per annum. The proceeds of the sale of such bonds shall be used to take up and redeem the

Amount.

Time.

Rate.

temporary loan bonds issued for the purpose of raising money to carry on the aforesaid work.

Abandoned almshouse property sold.

4. When such almshouse shall have been fully completed and furnished, the common council or other board or body having charge of the finances of such city shall sell any lands and buildings owned by said city and used for the purpose of an almshouse and turn over the proceeds of such sale to the commissioners of the sinking fund of such city, the same to be applied toward the retirement of the permanent bonds at maturity.

Sinking fund.

5. For the further purpose of retiring the permanent bonds at maturity a sinking fund of at least two per centum per annum shall be annually raised in the tax levy and paid over to the commissioners of the sinking fund.

6. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 177.

An Act to authorize cities of this State to make annual appropriations to incorporated dental associations of this State conducting and maintaining dental clinics in such cities for the free treatment of indigent persons.

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

Free dental clinics in cities.

1. Whenever any dental association regularly incorporated under the laws of this State shall maintain and conduct, in any city of this State, a dental clinic or clinics where indigent persons may receive treatment and relief without charge or fee therefor, it shall be lawful for the board or body having control of the finances of such city, annually to appropriate a sum, not exceeding in all in any year one thousand dollars

($1,000), as it may deem advisable, such sum or sums so appropriated to be used and applied only for the maintenance and equipment, in such city, of a dental clinic or clinics for the free treatment of indigent persons and for no other purpose whatsoever.

Annual report.

2. In any city where an appropriation is made for the maintenance and equipment of such dental clinics under the provisions of this act, the officers of such clinic or clinics shall furnish annually at the beginning of each fiscal year to the board or body having control of the finances of such city a report of the number and kind of cases treated by such clinic or clinics, together with a detailed statement of all expenditures made from any sum or sums of money appropriated by such governing body having control of the finances of such city for the maintenance and equipment of such clinic or clinics.

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 178.

A Supplement to an act entitled "An act relative to the government and management of the insane asylums or hospitals owned by the State of New Jersey," approved March eleventh, one thousand eight hundred and ninety-three.

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

Transfer of non-resident insane.

1. Whenever it shall be made to appear to the board of managers of the State hospitals that any patient who shall have been or who shall hereafter be committed to any of the State hospitals as an indigent non-resident patient, has relatives living in any other State or foreign country, then the said managers shall arrange for the discharge of the said patient and his transfer and

delivery to the said relatives in said State or foreign country; *provided,* the condition of the patient is such that such transfer and delivery can be made without danger; and shall discharge the said patient and deliver him to the said relatives, paying from the funds appropriated by law for such purpose the necessary expense attending such transfer.

Proviso.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 179.

An Act for the incorporation of Presbyteries in the State of New Jersey of the United Presbyterian Church of North America.

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

Presbytery incorporated.

1. Any Presbytery now in existence or hereafter organized in this State, of the United Presbyterian Church of North America, convened at a stated meeting in accordance with its usages, may, by ballot, elect from its members, either ministers or ruling elders, without discrimination, three or more persons, as may be determined by said Presbytery, to be trustees of the same, which said trustees and their successors in office are hereby constituted a body politic and corporate in law, by such name as they shall assume pursuant to the directions of this act.

Trustees.

Name, seal.

2. The said trustees shall take upon themselves a name, and shall certify such name under their hands and seals, and forthwith transmit the said certificate to the Secretary of State of this State, whose duty it shall be instantly to record the same, for which he shall be entitled to receive a fee of one dollar, and thereupon the said trustees shall be known and designated in law by the name of incorporation so taken,

Filing fee.

certified and recorded; a copy of said certificate, duly certified under the hand and official seal of said Secretary of State, shall be received in evidence in any of the courts of this State. Certified copy in evidence.

3. The said trustees and their successors, by such name of incorporation, shall be able and capable of taking, acquiring, receiving, having and holding for charitable and religious purposes, by gift, devise, bequest, grant or purchase, any lands, tenements, legacies, donations, moneys, goods and chattels now held for the benefit of, or which hath been or may hereafter be given, devised, bequeathed, sold, or granted to the said corporation, or to the said Presbytery for the promotion of its religious and charitable objects; and the same or any part thereof to sell, grant, assign, mortgage, alien, or dispose of; to sue or to be sued, implead or to be impleaded in any court of law or equity, to make and use a common seal, and the same to alter and renew at pleasure, and to make and adopt all necessary by-laws, rules and regulations necessary and proper for the control and management of the affairs, and carrying into effect the objects of the said corporation, and for the investment and reinvestment of its moneys, and for the disposition of the same and of the other property of the said corporation. Powers.

4. For perpetuating a line of succession in the trustees of every Presbytery incorporated under this act, the members of said Presbytery convened at a stated meeting as hereinbefore directed for the election of the first trustees, may, at any time they may think proper, elect by ballot any other trustee or trustees in the stead of those or any of those before elected; *provided*, such renewal shall not be less than one year after his or their election into office, unless it shall be to fill up the vacancy, which may be caused by the death or resignation of any trustee, or severing his connection with the denomination or his moving out of the limits of the said Presbytery. Line of succession. Proviso.

5. Such corporation shall have a president, secretary and treasurer, who shall hold office for one year and until their successors are elected and qualified in their Officers.

stead; either the president or secretary may be eligible to the office of treasurer.

Agents. 6. Such corporation may have such other officers and agents as it may deem necessary or proper.

7. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 180.

An Act to amend an act entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five, providing for the sprinkling of the streets, avenues, highways and public places, or portions thereof, with water, oil or other liquids to preserve the same and to lay the dust," which supplement was approved March twenty-fifth, one thousand nine hundred and eight.

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

Section 2 amended. 1. The second section of the act to which this is an amendment is hereby amended so as to read as follows:

Street sprinkling. 2. The sprinkling of any street, avenue, highway or public place, or portion thereof, authorized by ordinance passed pursuant to the provisions of this act may be done either by contract or under the direction of the town council, and in the latter case the town council is authorized to purchase the necessary apparatus and equipment for doing the work; and the cost of the work shall be ascertained and certified by the town council by resolution to the board of assessment of such town on or before the first day of October in each year, which board of assessment shall assess upon

Assessment for benefits.

the land and real estate fronting on such street, avenue, highway or public place, or portion thereof, such part of the cost of such sprinkling as may represent the special benefits conferred upon such land and real estate by said work.

Notice of intended assessments.

It shall be the duty of the board of assessment to give notice by publication in the official newspaper of the town, by at least one insertion one week before their meeting, of the time and place at which they will meet, consider and determine the assessments to be made hereunder, which meeting may be adjourned from time to time but not beyond the first day of November in each year.

Notice to, and collection by, town collector.

The board of assessment shall, on or before the first day of November in each year, certify to the collector of the town the amounts assessed against the lands and real estate benefited by such street sprinkling, and which amounts shall be payable on the twentieth day of December of each year and shall be collected by the town collector in the same manner as the taxes for the current year shall be collected by him, and shall be and remain a lien upon such lands and real estate until paid.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 181.

An Act relating to the sale and use of fire-crackers, fire-works, fire-arms and other explosives.

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

Regulate or prohibit sale of fire-works.

1. The board of aldermen, common council or other governing body of any municipality in this State is hereby authorized and empowered to adopt an ordinance or ordinances regulating the sale or use of

torpedoes, blank cartridges, fire-crackers, squibs, caps or fire-works of any kind, and said board may prohibit absolutely the sale or exposure for sale within the limits of any such municipality of any of the articles aforesaid.

Use of fire-works, etc., may be regulated or prohibited.

2. The board of aldermen, common council or other governing body of any municipality in this State may adopt an ordinance or ordinances regulating the setting off or discharging within the limits of such municipality of any toy cannon, pistol or other fire-arm, instrument, contrivance or device producing an explosion, either by ignition or concussion through the use of gun-powder or other explosive substance, torpedo, fire-cracker, squib or fire-works of any character, and said board may, if deemed advisable by said board, in the interest of the public health, prohibit absolutely the discharging or setting off of any of said things named, or may prescribe by ordinance the method or occasion for the discharge or setting off of the same.

Penalties.

3. Any board of aldermen, common council or other governing body adopting an ordinance or ordinances under and by virtue of the provisions of this act, may determine the penalty or penalties for violation thereof, the maximum penalty, however, in no event to exceed a fine of two hundred dollars.

Approved April 9, 1910.

CHAPTER 182.

A Supplement to an act entitled "An act establishing a court for the trial of juvenile offenders and defining its duties and powers," approved April eighth, one thousand nine hundred and three.

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

Juvenile defendants arraigned before juvenile court.

1. From and after the establishment in the respective counties of this State of a house of detention, all such

juvenile defendants complained against before any police judge, recorder or other magistrate in such county, shall be arraigned upon such complaint before the judge of the county juvenile court, to the clerk of which court the said police justice, recorder or other magistrate shall forthwith send the complaint, as provided in section one of the act to which this is a supplement; and all proceedings following the taking of such complaint and arrest shall take place before said county juvenile court, it being the intention hereof that no juvenile defendant shall be arraigned or placed on trial in any police court, recorder's court or other magistrate's court for any offense cognizable before the said county juvenile court, but only in said county juvenile court; and all detentions, over-night commitments to await trial of the juvenile defendants, not paroled, shall be in said house of detention in such county and not in any of the police stations or county jail in said county.

Repealer.

2. All acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 183.

An Act to incorporate the township of Riverside, in the county of Burlington and State of New Jersey, as a city.

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

Corporate name.

1. All that land or real estate included within the present boundaries of the township of Riverside, in the county of Burlington, be and the same is hereby constituted a city of this State, and all the inhabitants of this State residing within the limits aforesaid be and they are hereby ordained, constituted and declared to be, from time to time, forever hereafter one body politic

and corporate under and by the name of "The City of Riverside."

Referendum.

2. *Provided,* this act shall not operate to effect the incorporation of the territory above described as a city of this State until it shall have been accepted by a vote of a majority of the qualified voters of the said township of Riverside voting thereon, at a special election to be held in said township on the third day of May, Anno Domini one thousand nine hundred and ten, within the hours of six A. M. and seven P. M. of said day at the places within said township where the general elections were held at the last general election. The clerk of said township shall cause public notice of the time and places of holding said election to be given by advertisements, signed by himself and set up in at least ten public places within said township, and published in one newspaper printed or published or circulating therein, at least ten days prior to such election; and the said clerk 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 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 said act; and if the word "against" is marked off or defaced upon said ballot, it shall be counted as a vote in favor of the acceptance of said act; and in case neither the word "for" nor the word "against" be marked off or defaced upon the ballot, it shall not be counted either as a vote for or against such acceptance. Such election shall be held at the time and places appointed, and be conducted by the election officers of said township of Riverside. The officers holding such election shall make return to the township committee of the township of Riverside of the result thereof by a statement in writing, under their hands, and the same shall be entered on the minutes of said township committee; and thereupon, and upon such acceptance by the voters as aforesaid, but not otherwise, this act shall in all respects be operative.

Notice of election.

Ballots.

Conduction of election.

Register.

3. The register of voters of the voters within said township 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 in said township to make a new registry of voters for such special election, but only to revise and correct the register made at the last preceding general election, and for the purpose the said board shall meet at such place within said township as shall be designated by the clerk of said township, one week next preceding the said election.

Revision of.

Notice of the place so designated shall be given by the clerk by posting it in at least five of the most public places in said township. Said meetings of the board of registry and elections 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 township at said special election, who shall appear in person before them and establish to the satisfaction of the majority of said board that they are entitled to vote at said election, or who shall be sworn by a written affidavit of a voter residing in said township 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; on the following day one copy thereof shall be delivered to the chairman of the county board of elections of Burlington county, to be filed by said board, and one copy shall be retained for use by the said board of election at such special election.

Statement filed in county clerk's office.

4. Immediately after the statement of the result of such election shall be made to the township committee of Riverside township, a copy thereof, certified by the township clerk, shall be filed forthwith in the office of the county clerk of said county of Burlington.

5. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 184.

An Act concerning the commitment of insane persons into institutions for the care and treatment of the insane in this State as private pay patients, their confinement therein, and their support while so confined.

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

Person of weakening reason may be self-committed.

1. Any person resident of this State, believing himself about to become insane, or in danger of losing his reason, and being desirous of committing himself to treatment for the betterment of his mental condition, or the prevention of any further advance toward insanity, and whose mental condition is such as to render him competent to make such application, may be admitted to any hospital for the insane maintained by this State as a private pay patient, upon application of the medical director thereof, which application shall set forth the name and residence in any county of this State, the facts relative to the mental condition of the applicant, and the reasons because of which such application is made, a declaration as to the financial condition of the applicant, whether he is or is not able to pay the expenses of his maintenance and treatment, his nearest relatives, and the residence of the same, and the name and address of his attending physician, if any. The medical director of the said hospital for the insane being satisfied that the mental condition of the applicant is such as to render him competent to make such application, and the truth and sufficiency of the facts stated in the application, shall admit the said person to the said hospital for the purpose of such treatment as may be necessary and warranted by the condition of the applicant. Within ten days thereafter,

Application.

Financial condition.

Admission.

the said applicant, or some responsible person in his behalf, shall enter into a bond with the State of New Jersey, conditioned for the payment of the maintenance charges to be fixed by the said medical director during such time as the said applicant shall remain in the said institution, which said bond shall be secured by at least one freeholder of this State as surety; bond and surety to be approved by the said medical director. Bond for maintenance.

2. Any person admitted to any institution of this State under the provisions of this act may be discharged therefrom upon the certificate of the medical director, either that the said patient is cured or that further treatment in said institution is unnecessary or undesirable. Any person admitted under this act may withdraw from the institution to which he has been admitted upon three days' notice to the medical director. As to discharge.

3. The provisions of paragraphs six, seven, thirteen, fourteen, fifteen, sixteen and eighteen of the act entitled (act of July fifteenth, one thousand nine hundred and six, chapter three hundred and twenty-four,) "An act concerning the commitment of insane persons into institutions for the care and treatment of the insane in this State, their confinement therein and their support while so confined," shall apply as fully as though recited herein, except that wherever a determination of insanity is necessary or referred to by the said paragraphs the certification of the said medical director as to the mental condition of the applicant shall be sufficient. Provisions of act applicable.

4. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately. Repealer.

Approved April 9, 1910.

CHAPTER 185.

An Act to amend an act entitled "An act creating the department of public reports," approved April thirteenth, one thousand nine hundred and eight.

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

Section 3 amended.

1. Section three of the act referred to in the title of this act is hereby amended to read as follows:

All reports filed with Commissioner of Reports.

3. Hereafter all reports shall be filed with the Commissioner of Public Reports, to whom printers' copy shall be returned. No report of any official, institution, board, commission or department of this State shall be printed except such as shall have been edited and approved by the Commissioner of Reports and the Governor. After publication original copies of reports which have been printed in full may be destroyed; such reports as have not been printed in full shall be returned by the commissioner to the reporting official, institution, board, commission or department.

Disposition of reports after printing.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 186.

An Act relating to the laying out, opening, extending and accepting streets and highways in villages.

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

Village trustees may lay out, etc., streets.

1. The board of trustees of any village of this State shall have full power and authority, by ordinance, to lay out, open, extend and accept the dedication of any

street, highway or avenue in such village, provided the width of any such street, highway or avenue shall not exceed one hundred feet.

Procedure in assessment for benefits.

2. The procedure to be followed by the said board of trustees and the board of assessments of any such village in this State regarding the laying out, opening, extending or accepting the dedication of any street, highway or avenue in such village, and the levying of assessments for damages and benefits because of the making of any such improvement, shall be the same as is now established by law in any such village.

Repealer.

3. All acts, general, special or local, inconsistent herewith, are hereby repealed, and this act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 187.

An Act providing for the protection of life by the maintenance and extension of the United States Volunteer Life-Saving Corps in New Jersey, and to safeguard life-saving apparatus.

Preamble.

WHEREAS, The United States Volunteer Life-Saving Corps in New Jersey, comprising hundreds of trained swimmers among the boatmen, longshoremen, swimmers, canoeists, and associations for young men of the State, enlisted and sworn to risk their lives to save others, for a period of two years, is doing a work of great importance to the State as shown by the record of over sixty (60) reported rescues in one thousand nine hundred and nine; and

WHEREAS, There is great need of the extension of such work throughout the whole State on inland waters, as well as the ocean front, as evidenced by the list of one hundred and ninety-six (196) drownings for

May, June, July, August and September alone in one thousand nine hundred and nine; therefore

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

Municipal life-saving corps.

1. The governing body of any city, borough, township or village may in its discretion appropriate, by ordinance, such funds of its municipality as it may deem necessary to safeguard from drowning the lives of its people or visitors within its borders, by location of apparatus or conduct of educational work in harmony with the plans of the United States Volunteer Life-Saving Corps in New Jersey.

Penalty for destruction of apparatus or interference.

2. Willful destruction of the apparatus of the United States Volunteer Life-Saving Corps, or theft or misappropriation of same; interference with life-savers, volunteer or professional, in proper performance of their duty, and unnecessary calling for help or aid while in or on the water to deceive life-savers, shall be classed as misdemeanors, punishable by arrest, fine and imprisonment.

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 188.

An Act concerning streets and highways in townships.

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

Township committee may take land for road improvements.

1. The township committee of any township shall have power and authority, by ordinance, to lay out, open, straighten, extend, widen or otherwise change any street, road, avenue or highway, or any part or section thereof, and to take and appropriate, for any such purpose, any land and real estate in the following manner: A petition in writing setting forth the improvement desired, and that the signers thereof

Petition.

are owners of lands situate within the township which will be specially benefited by the proposed improvement, shall be presented to the township committee at a stated meeting thereof; if the township committee favors the proposed improvement, and if in its judgment the petition is signed by the owners of lands situate within the township which will be specially benefited by the improvement petitioned for, it may, at any stated meeting, adopt a resolution declaring that it favors the improvement petitioned for, and that in its judgment the persons signing the petition are owners of lands situate within the township which will be specially benefited by the improvement petitioned for, and referring it to three commissioners of assessment not interested in the improvement petitioned for, who shall be appointed for that purpose by the township committee, and who shall receive such compensation for their services as the township committee may designate; such commissioners of assessment shall proceed thereon in the manner hereinafter directed; said resolution shall also require the petitioners to deposit with the township treasurer such sum of money (to be therein stated) as the township committee shall deem necessary to cover the costs and expenses incurred by the township, if such an ordinance for such improvement shall not be thereafter adopted, which sum shall in such case be applied to the payments of such costs and expenses, and the excess, if any, shall be returned to the person or persons depositing the same; and, in case an ordinance for such improvement shall be thereafter adopted, such sum shall be returned in full, without interest, to the person or persons depositing the same, and the said commissioners of assessment shall not proceed in said manner until the township treasurer shall have certified to them that the sum specified in said resolution shall have been deposited with him; the commissioners of assessment shall be assisted in such manner as they shall require by a township surveyor, who shall be appointed for that purpose by the township committee; the said commissioners shall make, or cause to be made, a map or maps showing all the lands, real estate and improve-

Commissioners of assessment.

Manner of procedure.

Deposit to cover expense.

Township surveyor.

Maps, etc.

New Jersey State Libra

ments to be taken for the proposed improvement, and all the lots and parcels of land within the township which, in the judgment of said commissioners, will be specially benefited thereby, designating each lot and parcel on said map by a letter or number; said commissioners shall also ascertain, so far as practicable, the name of the owners of said real estate to be taken and property to be benefited, and the interest of each of the owners of real estate to be taken, and when such names or estates are not known they shall so report; they shall also appraise the value of the interest of each known owner of real estate to be taken and the damage to be done to such owner by taking the same; and where the estates in any plot of land are unknown they shall appraise the value of or the damage done to the fee simple; said commissioners shall also estimate all other expenses likely, in their judgment, to attend the completion of the improvement; said commissioners shall also estimate the amount likely to be realized from the sale of any buildings, or parts of buildings, required to be taken on account of said improvement, and shall also determine the probable net cost of making the improvement; this probable net cost they shall then assess upon the land to be specially benefited, in proportion to the benefit to be received; thereupon they shall, under their hands, make a report of the facts ascertained and of the appraisements, estimates, determination and assessments made by them concerning said improvement, and shall present such report and their map to the township committee at a stated meeting thereof, which body shall then, or at a stated meeting to be held thereafter, fix a time and place when and where it will meet to consider all objections in writing to said report, or to the proposed improvement, shall cause a notice of the filing of said map and report to be printed in the official newspaper in the township, or, if there be none, in a newspaper published in the county and circulating in the township, for two weeks successively next preceding the said time fixed by the township committee, at least once in each week, which notice shall contain a general description of the improvement intended, of the land to be taken and of the land to be

Commissioners to ascertain certain data.

Assessments for benefits.

Report.

Meeting to consider objections.

assessed therefor, and shall state the time and place when and where the township committee will meet to hear and consider any objections to said report, or to the improvement, which may be presented in writing; said clerk shall also post copies of such notice in five public places of the township at least ten days prior to the said time fixed by the township committee for the hearing of objections, and shall also, at least five days prior to said time, serve a copy of such notice upon resident owners of real estate affected thereby, but the omission of the clerk to serve such notice shall not invalidate any of said proceedings; and all objections at such time and place, presented in writing, the township committee shall consider and adjudicate upon, and the township committee may alter, amend, adjust, increase or diminish any award without further or other notice to the person or persons interested therein; *provided, however,* that no resolution altering, amending, adjusting, increasing or diminishing any award or awards shall be passed or adopted except by or upon the affirmative votes of all the members of the township committee, nor shall any such resolution be passed or adopted at any other than a stated meeting; if the said township committee shall then determine to make said improvement, notwithstanding any objections to the same, the said township committee shall confirm said awards, as altered, amended, adjusted, increased or diminished, and pass an ordinance ordering said improvement to be made and completed in such manner as said township committee may direct, under the supervision of said commissioners of assessments; the said township committee shall also pass a resolution directing the several sums awarded to be paid to the persons to whom the awards are made for real estate taken and damages sustained in making said improvement, and upon the passage of such resolution the fee simple of said real estate to be taken shall be vested in the township; *provided,* that where the commissioners shall have reported the name or estates of the owners of any plot as unknown the said resolution shall direct the sum of the award on account of such plot to be paid to the owners thereof, when and as their interests

Proviso.

Proviso.

may appear, and any such owner or person interested in said land may, by bill in chancery, according to the practice of that court, have the said sum distributed or in whole or in part paid over to him as law and justice may require; after the completion of said improvement, the said commissioners shall ascertain and determine the actual net cost thereof, and shall assess, as provided by law, such actual net cost upon the lands especially benefited in proportion to the benefit received.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 189.

An Act to prohibit the hunting of rabbits or hares with ferrets.

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

Hunting with ferrets unlawful.

Penalty.

1. It shall be unlawful to hunt, kill or destroy, or attempt to hunt, kill or destroy, any hare or rabbit with ferrets. Any person violating the provisions of this act shall incur a penalty of fifty dollars for each offence, to be recovered as provided in and by 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.

Repealer.

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

Approved April 9, 1910.

CHAPTER 190.

An Act to amend an act entitled "An act concerning juries (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:*

1. Section three of an act entitled "An act concerning juries (Revision)," approved March twenty-seventh, one thousand eight hundred and seventy-four, be amended to read as follows: Section 3 amended.

3. Every person summoned as a petit juror in the Supreme Court, the Circuit Courts, the Courts of Oyer and Terminer and General Jail Delivery, Common Pleas and of General Quarter Sessions of the Peace, shall receive the sum of two dollars for every day's attendance at such courts, to be paid at the expiration of each term of service, by the sheriff of the county in which the juror shall serve, or at such other time or times within said term as the board of chosen freeholders of the county shall direct. Pay of jurors.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 191.

A Supplement to an act entitled "A general act relating to boroughs (Revision of 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven.

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

May issue certificates of indebtedness.

1. It shall be lawful for the borough council to issue certificates of indebtedness to run for five years or less for the purchase of a suitable building for the use of the borough council or for the purchase of lands and the erection of a municipal building; *provided,* such certificates shall not exceed six thousand dollars, and that such certificates shall draw interest not exceeding six per centum per annum.

Proviso.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 192.

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.

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

Close contracts and make settlement.

1. The Board of Inspectors of the State Prison shall have power, with the consent of the Supervisor, to close up as they think proper all contracts in relation to the labor of the prisoners which have now expired

by their own limitation or by the conduct of the parties thereto, and which still remain unsettled, and to settle and determine the same and all work thereunder.

Assignments.

2. They shall have power, with the consent of the Supervisor, to recognize any assignments of contracts heretofore or hereafter made and make the necessary transfer thereof; *provided,* the party or parties thereto shall furnish satisfactory bonds for the performance of said contract; *and provided further,* that if the contract to be assigned shall extend beyond the term of the officer making the contract the said assignment to make it valid shall require the approval of the Governor or person administering the government of the State for the time being.

Proviso.

Proviso.

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 193.

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, vesting the title to and possession of property owned or held in trust for extinct Seventh-day Baptist churches or Seventh-day Baptist religious societies in The Seventh-day Baptist Missionary Society, and prescribing the procedure to establish the title of The Seventh-day Baptist Missionary Society to such property.

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

Property, how vested.

1. All property, both personal and real, belonging to or held in trust for any Seventh-day Baptist church or any Seventh-day Baptist religious society that has or shall become extinct shall vest in and become the

property of The Seventh-day Baptist Missionary Society and its successors and assigns; *provided,* that this act shall not effect the reversionary interest of any person or persons in said property or any valid lien thereon.

Proviso.

Application to Court of Chancery to dissolve.

2. Any Seventh-day Baptist church or any Seventh-day Baptist religious society in this State which has ceased or failed, or which shall cease or fail to maintain religious worship or services, or to use its property for religious worship or services according to the tenets, usages and customs of Seventh-day Baptist churches which are members of the Seventh-day Baptist General Conference, for the space of two consecutive years immediately prior to application to the Court of Chancery for an order dissolving said church or society as herein provided, or whose membership has so diminished or shall so diminish in numbers or in financial strength as to render it impossible or impracticable for such church or society to maintain religious worship or services or to protect its property from exposure to waste or dilapidation, or to fulfill the purpose for which it was incorporated, shall be deemed and taken to be extinct, and may, by an order of the Court of Chancery, be so declared and thereupon dissolved, and the property of such church or society may, by said order, be transferred to and the title and possession thereof vested in said The Seventh-day Baptist Missionary Society.

Application, by whom made.

3. An application for such an order and disposition of property may be made by any member, trustee, or officer of said The Seventh-day Baptist Missionary Society, or any member of such church or society, when duly authorized thereto by the board of trustees of said The Seventh-day Baptist Missionary Society, upon a verified petition setting forth the facts authorizing such order and disposition of property. Upon the presentation of such petition to the Court of Chancery, such court may proceed in a summary manner after such notice as the court may prescribe, to inquire into the merits of such application, and if, upon examination by the court, it shall satisfactorily appear that making of the order and disposition of property applied for is necessary or proper, for any of the causes mentioned

Summary hearing by court.

in section two of this act, such court shall make a final order declaring such church or society extinct and dissolving the same and transforming any property and the title and possession thereof, which may belong to such church or society, and vesting the same in said The Seventh-day Baptist Missionary Society, it being the purpose and intent of this act to preserve to the Seventh-day Baptist denomination all property owned by or held in trust for any such church or society for religious purposes. Order.

4. All acts and parts of acts inconsistent with this act are hereby repealed. Repealer.

Approved April 9, 1910.

CHAPTER 194.

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.

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

1. The mayor of any city of the first class in this State shall have power to appoint a secretary, to be paid such compensation as shall be fixed by the board or body having control of the finances of said city at an amount not exceeding three thousand five hundred dollars ($3,500) per annum; said secretary shall serve during the pleasure of the mayor. Secretary to mayor.

2. 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 April 9, 1910.

CHAPTER 195.

An Act to amend an act entitled "An act regulating the employment, tenure and discharge of certain officers and employes 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. From and after the passage and approval of this act, section eleven of the act referred to in the title of this act is hereby amended 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 employes appointed by either or both branches of the Legislature;

All election officers;

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, non-commissioned 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 institutions, county superintendent 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.

Classified service.

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.

Repealer.

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

Approved April 9, 1910.

CHAPTER 196.

An Act to provide for the appointment, term of office, and salary of the comptroller in cities of this state where the comptroller is now elected by the people at the general election.

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

City comptroller.

1. In any city of this State where the comptroller is now elected by the legal voters of said city at the general election for members of the Assembly, it shall and may be lawful for the governing body of such city to adopt an ordinance providing for the appointment of such comptroller by the governing body of such city, making the term of office three years, and fixing his salary, which shall not exceed in amount the sum of fifty dollars for each thousand of population of said city.

Term.

Salary.

Duties.

Bond.

2. The duties of such comptroller shall be such as may now or hereafter be established by law or the ordinances of said city, and he shall give bond for the faithful performance of such duties in such amount and with such surety or sureties as shall be required of him.

Term to begin.

3. The term of office of the comptroller appointed as aforesaid shall not begin until the expiration of the term of the then incumbent.

4. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 197.

A Further Supplement to an act entitled "An act to amend the law relating to the property of married women" (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:*

A married woman, whose husband is a fugitive from justice, may convey, etc., property.

1. Any married woman who owns real property in the State of New Jersey, and whose husband shall have been a fugitive from justice for a period of three years or more at the time of making the application hereinafter provided for, during all of which time she shall have lived in a state of separation from him, may, at any time during the continuance of such separation, apply by petition to the Court of Chancery of this State, asking said Court to make an order or decree that during such separation she may sell, convey, mortgage or lease any interest, estate or right she may have in any such real property in the same manner and with like effect as if she were sole and unmarried; and upon notice by publication, according to the law and practice

of said court in case of absent defendants, as the court may direct, and upon satisfactory proof to the court that her said husband is a fugitive from justice, and that she is living separate and apart from her said husband, it shall be lawful for said court to decree or order that during such separation she may sell, convey, mortgage and lease any interest, estate or right she may have in such real property; and that any sale, conveyance, mortgage or lease by her of any interest or right which she may have in such real property, made in pursuance of such order or decree, shall pass any and all such interest, estate or right that she may have in such real property.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 198.

A Further Supplement to an act entitled "An act relative to the State House and adjacent public grounds," passed 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:*

Alterations to State House.

1. The Governor, Treasurer and Comptroller of this State, constituting the State House Commission, are hereby authorized to make such alterations and additions to the present capitol as they may deem necessary to furnish proper accommodation for the use of the State departments.

Appropriation.

2. The sum of sixty thousand dollars, or so much thereof as may be necessary, is hereby appropriated for said purpose, the same to be paid by the State Treasurer

Proviso. upon the warrant of the State Comptroller; *provided,* said sum is included in the annual appropriation act.

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 199.

An Act to further amend an act entitled "An act relating to persons or corporations engaged in the business of transmitting money to foreign countries, or of buying or selling foreign money, or of receiving money on deposit to be transmitted to foreign countries," approved April twenty-fifth, one thousand nine hundred and seven.

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 to read as follows:

Bond of applicant. 4. If the said applicant shall carry on the said business mentioned in section one of this act at more than one place within this State, such applicant shall furnish, at his election, either a bond in an amount in addition to the said sum of twenty thousand dollars of ten thousand dollars for each additional place of

Proviso. business; *provided,* said bond in no case shall exceed the sum of one hundred thousand dollars or an additional bond in the sum of ten thousand dollars for each and every additional place of business he conducts.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 200.

An Act to amend an act entitled, "An act to authorize two or more municipalities in this State to jointly construct and maintain outlet or trunk sewers, approved March fifteenth, one thousand eight hundred and ninety-nine, by amending the title of the same to read, 'An act to authorize two or more municipalities in this State to jointly construct and maintain outlet or trunk sewers, and to authorize every such municipality to construct local sewers or systems of sewers within its corporate limits, connecting with or discharging into such joint outlet or trunk sewers."

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

1. The title of the act of which this is an amendment is hereby amended so as to read: Amended title.

"An act to authorize two or more municipalities in this State to jointly construct and maintain outlet or trunk sewers, and to authorize every such municipality to construct local sewers or systems of sewers within its corporate limits, connecting with or discharging into such joint outlet or trunk sewers."

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 201.

An Act for the relief of Lawrence J. Riordan.

Preamble. WHEREAS, Lawrence J. Riordan, a resident of the town of Harrison, State of New Jersey, while a member of Company I, First Regiment, National Guard, New Jersey, was injured in a sham battle during encampment at Mount Gretna, Pennsylvania, on August twenty-second, one thousand nine hundred and six, in such manner that his right leg had to be amputated above the knee-joint and that such loss has wholly incapacitated him from his regular employment;

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

Pension. 1. That there be paid to said Lawrence J. Riordan, in quarterly payments, from the treasury of this State, a pension at the rate of fifty dollars per month, the Comptroller to audit such pension and the Treasurer to pay the same; said pension shall commence from the passage of this act.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 202.

An Amendment to an act entitled "An act authorizing the creation of harbor boards in cities accessible to commerce by water and prescribing their powers and duties," approved April fourteenth, one thousand nine hundred and nine.

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, is hereby amended so as to read as follows: Amended title.

"An act authorizing the creation of harbor boards in cities accessible to commerce by water, and prescribing their powers and duties, and providing for the issuance of bonds by the city to pay the cost of lands acquired and improvements made by them, approved April fourteenth, nineteen hundred and nine."

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

1. In any city of this State, accessible to commerce by water, there may be created a board to be known as "The Harbor Board of ....." (naming the city), which board shall be appointed by the mayor of said city, and the terms of office of the members thereof shall be co-extensive with the term of office to which the mayor appointing said members was elected, and until their successors in office shall be thereafter appointed. Harbor board. Appointed by mayor. Term.

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 203.

Supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five.

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

Storm sewers.

1. The town council or other governing body of any town governed under the provisions of the act to which this is a supplement, shall have power, by ordinance adopted by a two-thirds vote of all the members of such council or other governing body, to cause a storm sewer, underground drain or culvert to be constructed in and along any street, avenue or highway within the limits of said town.

Bond issue.

2. In order to supply the funds necessary to carry into effect the provisions of this act, the town council or other governing body of such town is hereby authorized and empowered to issue the bonds of said town

Amount.

to an amount not exceeding one per centum of the ratables of such town, as shown by the last assessment for taxes therein, which bonds shall be sold at public sale for not less than par and accrued interest, and all moneys received from the sale of said bonds, including any premium or premiums, shall be used exclusively for the purposes contemplated in this act.

Term.

3. The bonds to be issued under the provisions of this act shall be payable in such number of years, not exceeding thirty, from the date thereof, shall bear in-

Rate.

terest at such rate, not exceeding five per centum per annum, and shall be of such denomination as said governing body shall determine, and shall be executed by the proper officials of said town, and may be registered or coupon bonds, with privilege of registry as to principal thereof, as said governing body may direct; and said

governing body may, from time to time, at the request and expense of the holders thereof, exchange coupon bonds for registered bonds, or change the denomination of said bonds.

4. The interest on said bonds shall be paid semi-annually out of funds to be provided for that purpose by way of taxation or otherwise by said governing body. Interest.

5. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 204.

A Further Supplement to an act entitled "An act concerning disorderly persons (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. Any person who shall expectorate or spit on the floor, side, seat or platform of any trolley passenger car in this State shall be deemed and adjudged to be a disorderly person, and upon conviction shall be subjected to a fine of not more than ten dollars for each offense. Penalty for spitting on trolley car.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 205.

An Act concerning assistant prosecutors in certain counties of this State.

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

Assistant prosecutors.

1. The assistant prosecutor in each of the counties in this State which now have or hereafter may have a population of more than eighty thousand inhabitants, and not more than one hundred thousand inhabitants, shall receive an annual salary of one thousand and five hundred dollars; *provided, however,* that the provisions of this act shall not apply to any county bordering on the Atlantic ocean.

Salary.

Proviso.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 206.

An Act to provide for the summary investigation of the construction of any county building.

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

Summary investigation of construction of county buildings.

1. If in any county in this State any building has been erected or shall be hereafter erected for county purposes on land belonging to the county, and any grand jury sitting in said county has presented or shall present to the court that there is evidence of failure to fulfill specifications as to quantity and quality of material and workmanship in the construction thereof and the board of freeholders of such county shall present

to any justice of the Supreme Court a request to make a summary investigation into the construction of such building, said justice may in his discretion make a summary investigation into the construction of such building, and in his discretion may appoint experts to prosecute such investigation and may cause the results thereof to be published in such manner as he may deem proper. It shall be the duty of the officers and the legislative body of any such corporation to obey any orders of such justice for facilitating such investigation, and any refusal or failure to obey such orders may be punished by such justice as for contempt. The costs incurred under this act shall be taxed by said justice, and upon his order paid by the disbursing officers of the corporation whose expenditures may have been investigated. Expenses.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 207.

A Supplement to an act entitled "An act authorizing the establishment of county hospitals for the care and treatment of patients suffering from tuberculosis, and providing for the maintenance of same," approved April fourth, one thousand nine hundred and ten.

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

1. Paragraph C of section one of said act be amended so that the same shall read as follows: Paragraph amended.

(C) 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 Money for lands and buildings.

Bond issue.

purchase of a site therefor by the issuance of bonds in such amount as said board of chosen freeholders, by resolution, shall determine; *provided, however,* that the amount of bonds which may be issued under this act, in any county, shall not exceed one-tenth of one per centum of the total taxable ratables of such county for the year in which said board of chosen freeholders shall adopt said resolution authorizing said bonds.

Proviso.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 208.

An Act concerning admissions to feeble-minded, epileptic, tubercular and blind institutions.

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

Applications for admission filed with Commissioner of Charities.

1. All applications for admission to any institutions supported in whole or in part by this State and operated for the care and custody of the feeble-minded, epileptic or tubercular patients of the State, and for the admission of blind persons of this State in any institution for the blind, shall be filed in the office of the Commissioner of Charities and Corrections, and admission to these institutions shall be upon the certificate of said Commissioner of Charities and Corrections, upon his being satisfied that all the provisions of law relating thereto have been complied with, and that the medical director or superintendent of such institutions has approved the application, and that it is in all respects a proper case for admission into such institution.

Approval necessary.

Financial condition of applicant.

2. After he shall approve of said application it shall be the duty of the Commissioner of Charities and Corrections to make an investigation as to the financial condition of the party or parties making the application for the purpose of ascertaining whether it is possible

for them to pay in whole or in part for the maintenance of the patient; and he shall keep an accurate record of all requests for admission, admissions, discharges, deaths, etc., with relation to patients, and make such rules and regulations for the care and custody of such records as in his judgment he deems to be wise or useful for the State. Records.

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

Approved April 9, 1910.

CHAPTER 209.

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 one hundred and nine 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 amended so that the same shall read as follows: Section 19 amended.

109. It shall be the duty of every magistrate to keep a docket, in which he shall enter the name of every person against whom he may issue any warrant, the name and address of the complainant in each case, the names of witnesses in each case, with their respective addresses, the nature of the charge against the accused, and whenever bail is taken in any case, the name of the bondsman and his address; and each of said magistrates shall, within fifteen days after the taking of bail Magistrate to keep docket. Returns made to prosecutor.

in any case, or the issuance of a commitment in any case, or after the discharge of any person, deliver all complaints, warrants, recognizances and all other papers in every criminal case in which the complaint has been made before him, or in which he has taken bail, issued a commitment or discharged the defendant, to the prosecutor of the pleas of his county; *provided,* that this section shall not apply to any police justice or criminal court in any city of the first class in this State, except as to cases in which such police justices act as committing magistrates.

Proviso.

Penalty for neglect of magistrate.

In case any magistrate shall willfully neglect or refuse to comply with the provisions of this section, he shall be guilty of a misdemeanor and forfeit any and all costs to which he might become entitled as herein provided.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 210.

Supplement to the act entitled "A general act relating to boroughs (Revision of 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven.

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

Use of surplus derived from public utilities.

1. Any surplus of revenues derived by any borough from any municipal water works plant, or sewerage system, or electric lighting plant, after setting aside therefrom sufficient moneys to satisfy all charges against the same for operating expenses, sinking fund charges and charges for interest and all other charges against the same, may be annually appropriated to council to the payment of interest or sinking fund charges due for and on account of any other obligation

of the borough, and in case there shall be a surplus of revenue from the said municipal plants, over and above all sinking fund charges due for and on account of any and every obligation of the borough, then, in that case, the borough council, from time to time, in lieu of borrowing moneys in anticipation of taxes, may temporarily appropriate such surplus moneys for any municipal purpose for which taxes have been levied during the then current fiscal year, and the said moneys so taken from said surplus fund shall be restored and repaid thereto when said taxes have been collected.

Repealer.

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

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 211.

An Act to provide for the printing and publication of a history of Kearny's First Brigade, Volunteers of New Jersey.

Preamble.

WHEREAS, The Historical Committee of the First Brigade of the New Jersey Volunteers have collected data for a history of said brigade; and

WHEREAS, The printing and publication of such history is a matter of great public interest; therefore

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

Copies of first brigade's history printed.

1. One thousand copies of the History of Kearny's First Brigade of Volunteers of New Jersey, compiled by the historical committee of said brigade, shall be printed and published under the supervision of the State Printing Board of this State, provided the members of such brigade shall consent to such printing and publishing; which consent shall be sufficiently evidenced by filing with the said State House Commission a copy of a resolution to that effect, adopted at a meeting of said

brigade, which resolution shall be certified to by the secretary of said meeting to be a true copy.

Distribution. 2. The said copies of said history when completed shall be distributed without cost, by the State House Commission, among the citizens of this State.

Expenditure. 3. For the purpose of carrying into effect the provisions of this act the said State Printing Board is hereby authorized to expend out of the annual State appropriation for printing such sum as may be needed.

4. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 212

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.

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

Parole 1. Any male person admitted to any of the institutions of this State coming under the provisions of this act may be paroled into the custody of his parents, guardians or any fit person under such conditions that he may be liable at any time to be taken back to such institution, if the conditions of his parole are violated, or if, in the judgment of the Commissioner of Charities of this State, for any cause his welfare shall so require; Proviso. *provided,* that in case of such parole any liability upon the State for further compensation to support any such inmate in any institution to which the State pays for support shall cease during the time such inmate is out upon parole.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 213.

A Supplement to an act entitled "A general act relating to boroughs (Revision 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven.

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

Salary of mayor.

1. In any borough of this State having a population exceeding five thousand inhabitants, it shall be lawful for the governing body of said borough, by ordinance, to direct that there shall be paid to the mayor of said borough, in the same manner as the salaries of other officials are paid, a salary not exceeding five hundred dollars per annum.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 214.

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:*

Bonds, registered or coupon.

1. All bonds issued pursuant to the provisions of an act of the Legislature 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, may be registered or coupon, or both, as the governing body or board issuing the same shall determine.

Exchange of bonds.

2. It shall be lawful for the Trustees for the Support of Public Schools to arrange with any municipality in this State to change any bonds heretofore purchased or now held or hereafter purchased by said trustees from coupon to registered bonds; and it shall be lawful for any municipality issuing such bonds so held by said trustees to detach from such bonds the coupons thereon and cancel the same and stamp upon such bonds the registration thereof and the necessary agreement for the payment of the interest thereon to effectuate the provisions of this act.

School district may sell bonds to trustees for support of public schools.

3. It shall b lawful for the trustees or board of education of any school district in this State to negotiate with the Trustees for the Support of Public Schools in this State for the purchase by them of any bonds to be issued by their respective school districts for school purposes without first advertising for bids for such bonds; and if said trustees or board of education can agree with the said Trustees for the Support of Public Schools upon the rate of interest to be paid on said bonds, to issue such bonds and sell and deliver the same to the said Trustees for the Support of Public Schools without advertisement therefor or for the sale thereof; *provided,* the sale price of such bonds shall never be less than par, nor the rate of interest in excess of five per centum.

Proviso.

Repealer.

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

Approved April 9, 1910.

CHAPTER 215.

An Act prohibiting the discharge of sewage, excremental matter, domestic refuse and other polluting matter into fresh water.

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

Pollution prohibited.

1. No person shall hereafter discharge or permit to be discharged into any fresh water any sewage, excremental matter, domestic refuse or other polluting matter. The term "fresh water" as used in this act shall be taken to mean and include all water commonly known as fresh and which may be used for human consumption, irrespective of whether such water shall be found in a stream where the tide ebbs and flows or not; *provided,* that nothing in this act contained shall be construed to apply to the effluent, or other matter discharged from any sewage disposal plant, or plant for the treatment of sewage, heretofore approved by the State Sewerage Commission when said Commission existed, or heretofore or hereafter approved by the Board of Health of the State of New Jersey, which said effluent or other matter so discharged is hereby expressly declared to be not sewage, excremental matter, domestic refuse, or other polluting matter.

Proviso.

Penalty.

2. Any person who shall violate any of the provisions of this act shall be liable to a penalty of fifty dollars for each offense, to be recovered in an action of debt by the Board of Health of the State of New Jersey; said penalty when recovered by said Board of Health of the State of New Jersey to be paid into the treasury of this State.

Notice to discontinue violation.

3. It shall be the duty of the Board of Health of the State of New Jersey to give notice, in writing, to any person violating the provisions of this act, to discontinue such violation, and if said violation be not

discontinued within ten days from the date of service of said notice, then it shall be lawful for the said Board of Health to institute a suit to recover the penalty provided for in the second section of this act. The said notice shall describe in general terms the location of the premises from which said violation occurs.

Injunction to restrain violation.

4. Whenever any person shall violate any of the provisions of this act, it shall be lawful for the State Board of Health, 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 board, 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, or 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.

"Person" defined.

5. The word "person," as used in this act, shall be construed to imply both the plural and the singular, as the case may demand, and shall include corporations, companies, associations and societies, as well as individuals, and the word "corporations" shall include municipal corporations.

Act, how construed.

6. Nothing in this act contained shall be construed to operate as a repeal of any act of the Legislature designed to secure the purity of the public supplies of potable water, or to prevent the pollution of streams, whether such streams be tidewater streams or not, but this act shall be deemed only to be additional legislation.

7. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 216.

Supplement to an act entitled "A general act relating to boroughs (Revision 1897)," approved April twenty-fourth, one thousand nine hundred and seven.

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

Street sprinkling.

1. The council of every borough in this State is hereby authorized and empowered to provide for the sprinkling with water, oil or other liquid, the surface of the streets, avenues, highways and public places in such borough, or portion thereof, for the purpose of preserving the surface of said streets, avenues, highways and public places and of laying the dust thereof; *provided, however,* that before the adoption of any resolution or ordinance authorizing the same, public notice of the intention of the council to adopt such resolution or ordinance shall be given by publication in any newspaper published in such borough by at least one insertion one week before the meeting at which said proposed resolution or ordinance is to be considered, or, in case no newspaper shall be published in such borough, then by posting a like notice in at least ten public places in such borough, signed by the borough clerk, and posted for a like period; *and provided further,* that if at such meeting there shall be presented a protest in writing signed by the owners of at least fifty per centum of the real estate fronting on the street, avenue, highway or public place, or portion thereof, proposed to be sprinkled, no resolution or ordinance shall be adopted relating to any such street, avenue, highway or public place and no further action relating thereto shall be taken by the council for the space of one year.

Proviso.

Proviso.

Sprinkling done by contract.

2. The sprinkling of any street, avenue, highway, or public place, or portion thereof, authorized by such resolution or ordinance, shall be done by contract and

the cost thereof shall be ascertained by resolution of the council and certified to the commissioners of assessment of the borough on or before the first day of November in each year, and thereupon the said commissioners shall assess upon the land and real estate fronting on such street, avenue, highway or public place such part of the cost of such sprinkling as may represent the special benefits conferred upon such land and real estate by said work. Before making such assessment, the said commissioners shall give notice by publication in any newspaper published in such borough by at least one insertion one week before their meeting, or by posting such notice in ten public places in such borough for a like period before their meeting, of the time and place at which they will meet to consider and determine the assessments to be made hereunder, which meeting may be adjourned from time to time but not beyond the first day of December in each year.

Assessment for benefits.

Notice.

Amounts collected by borough collector.

3. The commissioners of assessment shall, on or before the first day of December in each year, certify to the collector of taxes of the said borough the amounts against the lands and real estate benefited by such sprinkling, and which amounts shall be payable on the twentieth day of December of each year and shall be collected by the borough collector in the same manner as the taxes for the current year are collected by him and shall be and remain a lien upon such lands and real estate until paid.

Moneys to defray cost.

4. To defray the cost of such street sprinkling, the council is authorized to appropriate any moneys raised for the purpose of the maintenance and repair of the streets or any unexpended balances, and if no such money is available, said council may borrow the necessary money upon temporary obligations of the borough.

Powers given additional.

5. The powers conferred by this act shall be additional to and not in limitation of any power already possessed by boroughs or of any act relating to the sprinkling of streets within such boroughs.

6. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 217.

An Act authorizing incorporated towns of this State to appropriate moneys for the celebration of the fiftieth anniversary of the founding or incorporation of such towns.

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

1. It shall be lawful for the common council, or other governing body of any incoroprated town of this State, in addition to the powers conferred upon them by their respective charters, or by law, to appropriate a sum not exceeding two thousand dollars for the celebration of the fiftieth anniversary of the founding or incorporation of such town. Anniversary celebration. Appropriation.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 218.

An Act concerning the appointment of members of the board of education in certain cities of this State.

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

1. In all cities in this State having a board of education the members of which now are or hereafter shall be appointed by the mayor of such city, it shall and may be lawful for the said mayor to appoint as a member of said board of education any resident of said city Residence of members.

duly qualified to serve thereon, without regard to the place of residence in such city of the person so appointed.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 219.

An Act concerning the salary of mayors of certain cities in this State.

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

Salary of mayor.

1. It shall be lawful for the board of aldermen, common council or other governing body of any city in this State which now has or may hereafter have a population of not less than seventy-five thousand inhabitants nor more than one hundred and twenty-five thousand inhabitants to fix and determine, by ordinance, the annual salary to be paid the mayor of such city, not to exceed the amount of two thousand five hundred ($2,500) dollars.

Repealer.

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 April 9, 1910.

CHAPTER 220.

A Supplement to an act entitled "An act constituting a State Highway Commission and defining its powers and duties," approved March thirtieth, one thousand nine hundred and nine.

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

1. The State Highway Commission shall designate a route for a continuous highway, to be known as the "Ocean Highway," commencing at Atlantic Highlands, in the county of Monmouth, and continuing thence to the city of Cape May, in the county of Cape May, following, so far as practicable, the available and convenient improved roads now constructed, which route shall be as near the ocean front as practicable, and shall prepare a map thereof, which, when approved by the said commission, shall be filed in the office of the Commissioner of Public Roads. Ocean Highway designated. Map.

2. The Commissioner of Public Roads is hereby authorized, with the approval of the State Highway Commission, to repair and improve the roads and parts thereof included within the route designated for the ocean highway. Maintenance.

3. The Commissioner of Public Roads is hereby authorized to expend for the purposes of this act, with the approval of the State Highway Commission, the sum of fifty thousand dollars, or so much thereof as may be necessary, from moneys coming into the hands of the said Commissioner of Public Roads, under the provisions of 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 pro- Expenditure.

New Jersey State Library

ceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, and the amendments thereof and supplements thereto.

Repealer.

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

Approved April 9, 1910.

CHAPTER 221.

An Act to extend the territorial boundaries of the borough of Avalon, in the county of Cape May, by the annexation of a portion of the township of Middle, in said county.

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

Part Middle township annexed to Avalon.

Boundaries.

1. All that portion of Middle township, in the county of Cape May, in the State of New Jersey, beginning at a point in the present line of the borough of Avalon, in the southwest line of Ninth street, at the intersection of the same with the high-water line of Ingram's Thoroughfare, and extending thence southwesterly along the several courses of said Ingram's Thoroughfare, Graven's Thoroughfare, Long Reach, Old Turtle Thoroughfare, Great Sound and Great Channel, respectively, to the intersection of the same with the southwest line of Eightieth street, if extended; (2) southeasterly, along the southwest line of Eightieth street, fourteen hundred feet, more or less, to the northwest line of Second avenue and a corner in the present borough line; (3) northeasterly, along the northwest line of Second avenue and in the line of the borough of Avalon as it now exists, seven thousand feet to the southwest line of Fifty-fifth street; (4) northwesterly, along the southwest line of Fifty fifth street, six

hundred and ninety feet to the northwest line of Third avenue; (5) northeasterly, along the northwest line of Third avenue, twelve thousand and seven hundred feet to the southwest line of Eleventh street; (6) northwesterly, along the southwest line of Eleventh street, thirteen hundred and eighty feet to the northwest line of Fifth avenue; (7) northeasterly, along the northwest line of Fifth avenue, five hundred and sixty feet to the southwest line of Ninth street; (8) northwesterly, still in the present line of the borough of Avalon, and in the southwest line of Ninth street, sixteen hundred and eighty feet, more or less, to the place of beginning, be separated from the said township of Middle and annexed to the said borough of Avalon, so that the same shall be hereafter a part of and within the territorial limits of said borough of Avalon.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 222.

An Act authorizing any county having no hospital located therein maintained by such county, other than a hospital or sick ward of the county poorhouse, to issue bonds for the purpose of enabling any charitable hospital located in such county to construct buildings, make alterations, additions or repairs to old buildings, and to provide equipment for such buildings.

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

Amount of bond issue to assist in furnishing hospital accommodations.

1. It shall be lawful for the board of chosen freeholders of any county in this State which has no hospital located therein maintained by such county, other than a hospital or sick ward of a county poorhouse, to issue bonds to an amount not exceeding fifteen thou-

sand dollars for the purpose of enabling any charitable hospital located in such county to construct new buildings, make alterations, additions or repairs to old buildings, and provide equipment for such buildings, which said bonds shall be coupon or registered bonds, or partly coupon and partly registered, and shall bear interest at a rate not exceeding five per centum per annum, and the principal of said bonds shall be payable at such time or times, not exceeding thirty years from their date, as the said board of chosen freeholders shall determine, which said bonds shall be sold by said board of chosen freeholders for a sum not less than par and accrued interest, and the proceeds of such sale shall be paid by the county collector to the treasurer or other proper officer of such hospital, to be expended for the purposes hereinbefore mentioned; *provided, however,* that any hospital receiving any money under the provisions of this act shall be bound to treat such poor persons in such county suffering from disease or accident as may apply for admission to such hospital without cost, and the receipt of any money by the hospital aforesaid, under the provisions of this act, shall constitute a contract irrevocable between said hospital and the board of chosen freeholders of such county, by virtue of which said contract said hospital shall be bound to treat the persons suffering from disease or accident, as provided for in this proviso, free of cost or charge, when a certificate shall be produced by such poor person or persons, signed by the board of chosen freeholders of such county, its director, or any member thereof, certifying that such poor person or persons are entitled to treatment under the terms of a contract created by this act; *and provided further,* that nothing in this act contained shall be construed to apply to or prevent any appropriation of money to said hospital under any existing statute or statute hereafter to be passed, to be used for the purpose of the maintenance, care or treatment of poor persons resident in the county wherein such hospital is located.

Rate.

Time.

Proceeds.

Proviso.

Proviso.

Sinking fund.

2. When the bonds issued under the provisions of this act shall be sold, the said board of chosen free-

holders shall establish a sinking fund, and there shall be raised by taxation from year to year and paid into said fund a sum sufficient to pay off and discharge said bonds at maturity, as well as the interest on said bonds as it shall accrue.

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 223.

An Act concerning the sale of municipal bonds.

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

Bonds sold publicly.

1. All bonds of any municipality in this State heretofore or hereafter authorized to be issued and sold under and by virtue of any statute of this State shall be sold for not less than par, and shall be sold at public sale only, and after due advertisement of at least ten days, unless the statute under which said bonds have been issued or shall be issued expressly authorizes the selling of such bonds at private sale.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 224.

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.

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

Section 6 amended.

1. Section six of the act of which this act is an amendment, shall be amended to read as follows:

Use of chain on tire.

6. No motor vehicle tire shall be fitted with a chain, nor shall any tire upon any motor vehicle be constructed of or have thereon any blocks, hobs, studs or other projections beyond the periphery of the tire forming the tread or traction surface of such tire, and which shall extend beyond three-eights of an inch from the periphery of such tire, when such motor vehicle shall be used upon gravel, macadam or other made roads, except upon natural dirt, asphalt, cobble, Belgian blocks or vitrified pavements; *provided, however,* that tires may be fitted with a chain when used upon roads covered with a coating of at least one inch of snow or ice.

Proviso.

Repealer.

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

Approved April 9, 1910.

CHAPTER 225.

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 penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which amendatory act was 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:*

1. Section thirty-seven of the act of which this act is amendatory is hereby amended so that the same shall read as follows: Section 37 amended.

37. Moneys received in accordance with the provisions of this act, whether from fines, penalties, registration fees, license fees or otherwise, shall be accounted for and forwarded to the Commissioner of Motor Vehicles and by him paid over to the Treasurer of the State of New Jersey, to be used by the Commissioner of Public Roads as a fund for the repair of such improved roads throughout the State as said commissioner shall designate, regard being had to the repair of the most important improved roads, and the distribution of the benefits of this act throughout the several counties of this State; *provided, however,* that there shall first be deducted from the moneys as aforesaid received the amount appropriated by the Legis- Use of moneys received from all sources. Proviso.

lature in any annual or supplemental bill for the maintenance of said department of motor vehicles, which said sum so deducted shall become a part of the general State fund.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 226.

An Act to amend an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five.

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

Section 64 amended.

1. Section sixty-four of an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five, be and the same hereby is amended so as to read as follows:

Proceedings to cause streets to be improved.

64. *And be it enacted,* That any street or section of a street may be graded, flagged, macadamized, paved, curbed, guttered, or have a sidewalk of any material constructed thereon, or to be otherwise improved, as hereinbefore provided, in the following manner, namely,

Petition by owners.

on the petition in writing to the council by the owners of one-sixth of the lands fronting on the street or section of street proposed (to be) improved, or upon like petition of ten freeholders, the council shall, by resolution, direct the town clerk to advertise such application or petition and the notice hereinafter provided for, for at least two weeks, one in each week successively, in the official paper of the town, or if there be none, in one or more newspapers published in the county and circulating in the town, and to post copies of the said petition and notice in five public places in

Notice given.

the town, designated by the council, at least ten days prior to the time fixed for the hearing of objections to such improvement; the clerk shall also publish and post as aforesaid, with the petition, a notice signed by him, stating that objections in writing to said proposed improvement shall be filed with him and designating the time and place when and where the town council will meet to consider such objections, which time shall not be less than ten days after the date of the first publication of such petition and notice as aforesaid; and the said clerk shall also serve like notice on the owners of property located along the street or section of street so proposed to be improved, at least five days before the time designated in said notice; *provided, however,* that no assessment shall be set aside or affected by reason of failure of said clerk to serve such notice; and at least before the time named in such notice the said clerk shall file in his office affidavits showing that such petition and notice have been published and posted as herein required; at the time named in such notice the council shall proceed to consider such objections as shall have been presented, and if it appear that the owners of two-thirds of the land fronting on such proposed improvement have objected thereto, such improvement shall not be made, and all costs and expenses incurred in such proceedings shall be paid by the petitioners, to secure which the council shall in all cases require a deposit of fifty dollars, before receiving any petition; and the council may, in its discretion, determine not to make such improvement, in which case the deposit made by the petitioner or petitioners, less any expenses that may have been incurred, shall be returned to him or them; and the defeat of any ordinance for such improvements, introduced before the council, shall be conclusive as to the determination of the council not to make such improvement; at any time after the time named in said notice for objections, the council may proceed to pass an ordinance for such improvement, and such ordinance shall be valid, if it described in general language the improvement required to be made and

Objections filed.

Proviso.

Consideration of objections.

As to ordinances.

done, and it shall not be necessary to state therein any other matter or thing connected with said improvement; the town clerk shall publish and post such ordinance in the same manner and for the same time he is required to publish and post the petition for the improvement described therein; and he shall file in his office an affidavit showing that such ordinance has been duly published and posted; at any time after the passage of such ordinance the council may require the clerk to advertise for proposals for doing the work of and furnishing the materials necessary for such improvement, in the official paper of the town, and in such other newspapers as shall be designated by the council, which proposal shall be presented in such form and manner and under such regulations as the council shall prescribe; upon the coming in of such proposals the council may enter into contract with the lowest responsible bidders on the terms of their proposals; *provided, however,* that the council may reject all bids if they deem it for the interest of the town so to do, in which case they shall again advertise for proposals and shall proceed in all things as if no proposals had been offered; and the council shall require the person or persons so entering into contract with the town to give bonds with ample freehold security for the due performance thereof.

Invite proposals.

Proviso.

Approved April 9, 1910.

CHAPTER 227.

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 twenty-three of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 23 amended.

23. It shall be unlawful to hunt, kill or destroy, or attempt to hunt, kill or destroy, any partridge, grouse, pheasant, quail, woodcock, squirrel or hare (commonly known as rabbit), while there is snow upon the ground in such condition that any such bird or animal may be tracked therein, or by tracking any such bird or animal in the snow, or to have in possession any such bird or animal above mentioned that has been hunted, killed, destroyed or taken as aforesaid, under a penalty of twenty dollars for each bird or animal above mentioned so hunted, killed, destroyed or had in possession, to be recovered as are other fines and penalties for the violation of this act. Tracking game. Penalty.

2. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 228.

An Act entitled "An amendment to an act entitled 'An amendment to an act respecting coroners'" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-five.

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

Section 26 amended.

1. The twenty-sixth section of the act to which this is amendatory, which section is in the following words, to wit:

26. *And be it enacted,* That the following fees shall be allowed:

To coroner, or person acting in his stead, for viewing the body, five dollars;

Mileage, per mile, going and returning, ten cents;

Sitting with jury at inquest, each day, three dollars;

Burying body when necessary, fifteen dollars;

Witnesses' fees and jurors' same as in justice's court;

Be and the same is hereby amended to read and be in the following words, to wit:

Coroner's fees.

26. *And be it enacted,* That the following fees shall be allowed:

To coroner, or person acting in his stead, for viewing the body, three dollars;

Mileage, per mile, going and returning, ten cents, or actual car fare;

Sitting with jury at inquest, each day, two dollars;

Taking depositions of witnesses at inquest, ten cents per folio, counting not more than two folios of manuscript to each page;

Witnesses' fees.

For every witness attending such inquest, when resident in the county, fifty cents for each day, and when from a foreign county, one dollar a day, in which shall be included his or her going to and returning

from the same, allowing one day for every thirty miles from and to his or her place of residence;

Jurors' fees. Jurors' fees, twenty-five cents for each case; but in cases of special importance the board of chosen freeholders of the county in which any inquest is held may, upon the recommendation of the coroner and of the prosecutor of the pleas, and by the affirmative votes of two-thirds of all the members of such board, make an extra allowance of not more than five dollars to each juror sitting on any such inquest of special importance;

Burial. Burying the body when necessary, the actual cost thereof, not exceeding twenty-five dollars.

Itemized bills. None of the fees allowed in this section shall be paid by any county collector until a detailed bill of items therefor, duly taxed according to law, shall have been presented to and approved by the board of chosen freeholders of such county.

Application. 2. In so far as this act reduces the fees of coroners for services actually performed by them, it shall apply only to coroners hereafter elected.

3. This act shall take effect immediately.

Approved April 9, 1910.

CHAPTER 229.

A Supplement to the act entitled "An act to provide for drainage and sewerage in cities of this State," approved April seventh, one thousand eight hundred and ninety.

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

Sale of land for unpaid assessments. 1. In case any assessment of benefits, or installments thereof, made under the provisions of the act to which this act is a supplement, now remains or hereafter shall become due and payable, it shall be the duty of the

collector, tax receiver or other officer charged with the duty of collecting such assessment or installment thereof forthwith to make the same, with interests, costs, charges and expenses, by making sale of the lots, parcels or tracts of land subject to the lien of such assessment or installment; said land shall be advertised in like manner, and sold for the same term of years, or in fee if no one will bid for a shorter term, as in cases of land sold for non-payment of taxes under the act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three, and the acts supplemental thereto and amendatory thereof. The certificate of such sale shall be in the form prescribed by the act to which this act is a supplement, and shall be recorded in the office of the county clerk in the same manner as in cases of certificates of tax sales under said tax act, in a book to be provided by the county clerk and kept for that purposes; said certificate shall have the same effect, and shall convey a like interest, and said lands may be redeemed from said assessment sale by the owner, lienor or other person interested, as provided in cases of sales of land for taxes; said certificate may be assigned and the assignment recorded as in the case of the original certificate, and any assignment by the city shall be subject to the lien of any installment of said assessment remaining unpaid.

Advertisement.

Certificate of sale.

Redemption of lands.

Charges in redeeming lands.

2. The owner, lienor or other person interested may redeem said lands, within two years after the date of such sale, by paying to the purchaser or his assigns the purchase money, with interest at one per centum per month on such purchase money, together with all costs and expenses of recording said certificate, searches for lienors, and service of notices to redeem, besides taxes and other assessments or installments thereof paid by the purchaser or his assigns, and upon giving notice to the owners, lienors and other persons having a right to redeem, within the time and in the manner provided by the above-recited act concerning sales of lands for taxes; in case redemption be not made, the purchaser and his assigns may perfect the title

If not redeemed.

acquired under said sale by recording and filing said certificate, together with notices to redeem and proofs of service, in the office of the county clerk, in the same manner that titles of purchasers of tax titles at tax sales under said tax act may be perfected. In case notices to redeem shall not be served, the holder of said certificate of assessment sale shall have thereunder the name, estate, rights, title and interest as purchasers holding certificates of sale of lands for taxes under said tax act.

Municipality may become purchaser.

3. The municipality may become the purchaser at any such sale, and its certificate shall be recorded, and may be assigned and its title perfected, and all other provisions of this act in relation to the sale shall apply as well to the city as to any other purchaser. In case any parcel is sold to the city for non-payment of an installment of any assessment, the same shall not be redeemed nor the certificate of sale assigned until and unless all further installments due and unpaid at the time of such redemption or assignment, with any delinquent taxes, shall be paid, with costs, charges and accrued interest; and said lands need not be again sold by the city for non-payment of installments of assessments falling due before assignment of any certificate of sale by the city or redemption of the lands sold.

Validity of sale.

4. No sale made under, or under color, of this act shall be subject to attack in any collateral proceeding; no writ of certiorari shall be allowed, and no action shall be brought to contest or set aside any certificate given pursuant to or under color of the provisions of this act, or to recover possession of the lands conveyed by said certificate after two years from its date, nor except upon payment into court of the assessment or installment for which the lands in question were sold, with interest, costs, charges and expenses paid or incurred by the holder of the certificate; and upon adjudication of the invalidity of such certificate the moneys so paid into court shall be paid over to the holder of the certificate, and he shall not be subjected to payment of costs of said certificate, and the sale therein recited shall be set aside. The holder of said certificate may record his certificate as a mortgage, and have and en-

Enforcement of lien.

force the lien thereof in the same manner that such liens may be enforced in case of sale of lands for delinquent taxes under the above-recited act.

Repealer.

5. All acts and parts of acts inconsistent herewith are hereby repealed. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 230.

An Act authorizing counties, cities, boroughs, towns, townships and villages to open or keep open inlets, streams, canals, basins or other public waterways within the limits of or forming boundaries of any such county or municipality.

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

Waterways within counties and municipalities.

1. Any county, city, borough, town, township or village is hereby authorized, by ordinance adopted by the governing body of any such county, city, borough, town, township or village, to open or keep open any inlet, stream, canal, basin or other public waterway within the limits of or forming boundaries of any such county, city, borough, town, township or village, in which ordinance shall be set forth the amount of money necessary for the purpose of opening or keeping open any such waterway as aforesaid; upon the adoption of any such ordinance it shall be lawful for such

Funds.

county or municipality to issue bonds for the amount of money set forth in said ordinance and said bonds shall be paid by moneys raised and collected as other moneys are raised and collected in such county or muni-

Control of expenditures.

cipality. The governing body of any such county or municipality adopting an ordinance as aforesaid shall have the exclusive charge and control of the expenditure of said money and the work to be done in opening

or keeping open any such inlet, stream, canal, basin or other public waterway.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 231.

An Act to validate and confirm any election heretofore held in any borough under the authority of an act entitled "An act relating to boroughs (Revision, 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven, and acts amendatory thereof and supplemental thereto, for the adoption of a proposition to issue bonds and to validate and confirm all bonds, contracts or other obligations issued, authorized or made pursuant to any such proposition so adopted.

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

Election to provide bonds validated.

1. Whenever heretofore under the authority of an act entitled "An act relating to boroughs (Revision, 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven, and acts amendatory thereof and supplemental thereto, an election has been called and held in any borough for the adoption of a proposition to issue bonds, and a majority of the votes cast at such election have been in favor of the adoption of such proposition, said election and the proposition so adopted are hereby validated and legalized, notwithstanding any defect, omission or irregularity in the manner of submitting such proposition or other proceeding calling such election, or in the giving of notice or the conduct of such election or in the canvass or filing of the result thereof. All bonds, contracts or other obligations issued, authorized, made or entered into

pursuant to the proposition so adopted are hereby validated, legalized and confirmed.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 232.

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.

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

Employment of prisoners outside walls.

1. It shall be lawful for the managing authorities of the State Prison to authorize the keeper or supervisor of the State Prison to employ any prisoners of said institution outside of the walls of said prison to perform the necessary work required, or to make the necessary repairs to buildings as the authorities of the prison may deem necessary; *provided,* that when prisoners are so employed they shall be under the supervision of an officer or deputy keeper of said prison.

Proviso.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 233.

A Further Supplement to the act entitled "An act for the incorporation of presbyteries in the State of New Jersey of the Presbyterian Church of the United States of America," approved March twenty-sixth, one thousand eight hundred and seventy-two.

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

Board of trustees.

1. Any presbytery of the Presbyterian Church in the United States of America that is now or may hereafter be incorporated under the provisions of the act to which this is a supplement may, by a resolution approved by its board of trustees and by the presbytery, change the numbers of the trustees to be thereafter elected and their respective terms of office, and make such provisions for the election of a president, a secretary and a treasurer of the board of trustees as may be deemed advisable by the said board of trustees and presbytery.

Certified copy filed with Secretary of State.

2. A copy of such resolution certified under the hand and seal of the president and secretary of the board of trustees and of the stated clerk of the presbytery shall be recorded in the office of the Secretary of State of this State, for which he shall be entitled to receive the sum of one dollar, a copy of which said certificate duly certified under the hand and official seal of said Secretary of State shall be received in evidence in any of the courts of this State.

3. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 234.

Supplement to an act entitled "A general act relating to boroughs (Revision 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven.

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

Question of sewerage system submitted to voters.

1. It shall be lawful for the council of any borough in this State by resolution to submit the proposition of the construction or purchase of a drainage or sewerage system, including disposal plant, and also the question of the issue of bonds for the cost of such construction or purchase of such system, to the voters at one and the same election, and said proposition of construction or purchase and such question of the issue of bonds for one or more of the purposes as aforesaid, shall be upon the same ballot. In all other respects said election shall be called and held in the manner provided in the act of which this is a supplement.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 235.

An Act to amend an act entitled "An act in relation to the revision, alteration, adjustment and settlement of taxes levied and assessed by any city of this State and remaining due and unpaid," approved March thirtieth, one thousand nine hundred and four.

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

Settlement of unpaid taxes.

1. In any city of this State wherein taxes have been levied and assessed upon or on account of any lands or real estate, or personal property, and remain due and unpaid, and where the lien of the city for such taxes so levied and assessed shall be for any reason questioned or impaired, it shall be lawful for the common council or board or body having charge and control of the finances of such city, upon application and petition presented to it by any person or persons interested in said lands or real estate or personal property, to make a revision, alteration, adjustment or settlement of the taxes so levied and assessed and remaining due and unpaid, and any and all interest or penalties which may have accrued thereon, and to fix and determine an amount to be accepted by such city in full satisfaction thereof.

Cancelation of record upon payment of adjustment.

2. When any such revision, alteration, adjustment or settlement of taxes so levied or assessed, and remaining due and unpaid, shall be made, and the person or persons making such application shall, within thirty days after such revision, alteration, adjustment or settlement, pay the amount fixed and determined by such revision, alteration, adjustment or settlement, then, and in such event, the collector of taxes, or such person as may be authorized by law to receive the same, shall make and deliver to the person so paying the same a receipt therefor, and shall forthwith cancel the record

of such tax or taxes, and such tax or taxes, together with all interest and penalties which may have accrued thereon, shall cease to be a lien upon the said lands or real estate, or to affect said personal property or its owner, and shall be deemed and taken to have been fully paid, satisfied and discharged.

3. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 236.

An Act to provide for the planting and care of shade trees on the highways and the charge and control of the city parks in certain cities of this State.

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

Shade tree commission.

1. In cities having a population of over two hundred thousand inhabitants of this State, the mayor thereof may appoint a commission of three (3) resident freeholders of said city who shall serve without compensation, and who shall have the exclusive and absolute control and power to plant, set out, maintain, protect and care for shade trees in any of the public highways of their respective cities, the cost thereof to be borne and paid for in the manner hereinafter directed, and the office of which commission so appointed shall extend during the term of office to which the mayor so appointing such commission was elected.

Duties.

Notice of improvements.

2. Whenever said commission shall propose to make any such improvements as setting out or planting any shade trees, or changing the same, in any highway, they shall give notice of such contemplated improvement (specify the streets or portions thereof where such trees are intended to be planted) in one or more of the newspapers of their said cities, if there be any

newspaper published in said place, for at least two weeks prior to any meeting in which they shall decide to make such improvement.

Cost borne by real estate benefited.

3. The cost of planting and transplanting any trees in any highway, and boxes or guards for the protection thereof, when necessary, shall be borne by the real estate in front of which such trees are planted or set out, and the cost thereof as to each tract of real estate shall be certified by said commissioners to the person having charge of the collection of taxes for said city; and upon the filing of said certificate, the amount of the cost of such improvement shall be and become a lien upon said lands in front of which said trees were planted or set out, and the said collecting officer shall place the assessment so made against any property in the annual tax bills rendered to owner or owners of such property, and the same shall be collectible in the same manner as the other taxes against said property are collected.

Cost a lien.

4. That all moneys needed for the purposes and proper execution of this act shall be raised by annual tax upon real and personal property as other taxes are raised in and for any city, and shall be apportioned by the board or body having control of the finances in such city.

Commission to control city parks.

5. Said commission shall have the charge and control of all city parks within the boundary of said municipality in which said commission shall be appointed, and shall exercise all the powers now exercised by law by any board or body having such charge or control thereof; *provided, however,* that said commission shall not have any charge or control of any county or State park, nor shall said commission have any power to purchase lands for any new park or existing park, nor to exercise any of the powers and duties of any board of finance or other body having charge of the finances of any such city with respect thereto, but that said powers and duties of any such board of finance or board having charge of the finances of any such city shall be and remain the same as if this act had not been enacted.

Proviso.

Repealer.

6. 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.

Approved April 11, 1910.

CHAPTER 237.

An Act to defray the incidental expenses of the Legislature of New Jersey for the session one thousand nine hundred and ten.

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

Treasurer authorized to pay certain sums.

1. It shall be lawful for the Treasurer of the State of New Jersey to pay, upon the warrant of the Comptroller, to the several persons hereinafter named, the following amounts, that is to say:

Item No. 1. To each clergyman, for opening the sessions of the Senate and House of Assembly with prayer, during the session one thousand nine hundred and ten, ten dollars, $10 00

Item No. 2. To each officer of the Senate and House of Assembly of the session of one thousand nine hundred and nine, who were present and rendered service in opening the session of one thousand nine hundred and ten, ten dollars, $10 00

Item No. 3. To Walter B. Homan, for services as assistant bill clerk to the Senate, for the session one thousand nine hundred and ten, five hundred dollars, $500 00

Item No. 4. To Harry M. Dease, for services as clerk to Committee on Appropriations, for the session one thousand nine hundred and ten, five hundred dollars, $500 00

Item No. 5. To Elwood W. Moore, Jr., for services as stenographer to the Senate, for the session one thousand nine hundred and ten, five hundred dollars, $500 00

Item No. 6. To William Dill, for services as assistant stenographer to the Senate, for the session one thousand nine hundred and ten, five hundred dollars, $500 00

Item No. 7. To Tuttle Walker, for services as assistant secretary to the President of the Senate, for the session one thousand nine hundred and ten, five hundred dollars, $500 00

Item No. 8. To Harry G. Scwenger, for services as clerk to the President of the Senate's secretary, for the session one thousand nine hundred and ten, five hundred dollars, $500 00

Item No. 9. To Harry G. Scwenger, for traveling expenses as clerk to President of the Senate's secretary, for the session one thousand nine hundred and ten, sixty-nine dollars, $69 00

Item No. 10. To Tuttle Walker, for traveling expenses as assistant secretary to the President of the Senate, for the session one thousand nine hundred and ten, sixty dollars, $60 00

Item No. 11. To Edward J. Lyons, for services as clerk to the secretary of the Senate, for the session one thousand nine hundred and ten, five hundred dollars, $500 00

Item No. 12. To Edward J. Lyons, for traveling expenses as clerk to the secretary of the Senate, for the session one thousand nine hundred and ten, sixty-seven dollars, $67 00

Item No. 13. To Ernest E. Le Compte, for services as assistant clerk to the secretary of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 14. To Ernest L. Le Compte, for traveling expenses as assistant clerk to the secretary of the Senate, for the session one thousand nine hundred and ten, forty-eight dollars and forty cents, $48 40

Item No. 15. To Thomas M. McArthur, for services as file clerk of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 16. To William Whittle, for services as file clerk of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 17. To Joseph P. Cahill, for services as file clerk of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 18. To Joshua Watson, for services as cloakroom keeper of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 19. To Rudolph A. Wiseman, for services as page of the Senate, for the session of one thousand nine hundred and ten, two hundred dollars, $200 00

Item No. 20. To Clarence Hand, for services as page of the Senate, for the session one thousand nine hundred and ten, two hundred dollars, $200 00

Item No. 21. To Frank Fenssner, for services as page of the Senate, for the session one thousand nine hundred and ten, two hundred dollars, $200 00

Item No. 22. To David Henderson, for services as gallery keeper of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 23. To Daniel Cosgrove, for services as gallery keeper of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 24. To William A. Wood, for services as gallery keeper of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 25. To George Mount, for services as doorkeeper of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 26. To John Multop, for services rendered the Senate, for the session one thousand nine hundred and ten, one hundred dollars, $100 00

Item No. 27. To Harvey F. Rorbach, for services rendered members of the Legislature as postmaster, for the session one thousand nine hundred and ten, one hundred dollars, $100 00

Item No. 28. To Owen W. Kite, for services rendered Joint Committee on Appropriations in preparation of the annual and supplemental appropriation bills, for the session one thousand nine hundred and ten, three hundred dollars, $300 00

Item No. 29. To William M. Wright, for services rendered Senate Committee on Incidentals, for the session one thousand nine hundred and ten, one hundred dollars, $100 00

Item No. 30. To A. L. Clark, for services rendered engrossing blank oaths of Senators and Members of the House of Assembly, and officers of the one hundred and thirty-fourth Legislature, for the session one thousand nine hundred and ten, fifty dollars, $50 00

Item No. 31. To Elizabeth Schlottenmeier, for services rendered members of the Legislature as telephone operator, for the session one thousand nine hundred and ten, twenty-five dollars, $25 00

Item No. 32. To Frederick Petry, Jr., for services rendered Senate Committee on

Incidentals, for the session one thousand nine hundred and ten, ten dollars, $10 00

Item No. 33. To Harry M. Dease, for traveling expenses as clerk to Committee on Appropriations, for the session one thousand nine hundred and ten, twenty-five dollars, $25 00

Item No. 34. To Chester H. Packer, for services as clerk to Committee on Railroads and Canals of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 35. To Asa T. Wilsey, for services as clerk to Committe on Banks and Insurance of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 36. To Wallace King, for services as clerk to Committee on Education of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 37. To George W. Watson, for services as clerk to Committee on Public Health of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 38. To Thomas Sayre, for services as clerk to Committee on Boroughs and Townships of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 39. To Robert Sheppard, for services as clerk to Committee on Municipal Corporations of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 40. To LeRoy Vanderberg, for services as clerk to Committee on Revision of Laws of the Senate, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 41. To LeRoy Vanderberg, for traveling expenses as clerk to Committee on Revision of Laws of the Senate, for the session one thousand nine hundred and ten, sixty-five dollars, $65 00

Item No. 42. To Thomas Sayre, for traveling expenses as clerk to Committee on Boroughs and Townships of the Senate, for the session one thousand nine hundred and ten, sixty-five dollars, $65 00

Item No. 43. To Robert Sheppard, for traveling expenses as clerk to Committee on Municipal Corporations of the Senate, for the session one thousand nine hundred and ten, sixty-one dollars and eighty cents, $61 80

Item No. 44. To Chester H. Packer, for traveling expenses as clerk to Committee on Railroads and Canals of the Senate, for the session one thousand nine hundred and ten, fifty-four dollars, $54 00

Item No. 45. To Asa T. Wilsey, for traveling expenses as clerk to Committee on Banks and Insurance of the Senate, for the session one thousand nine hundred and ten, fifty-two dollars, $52 00

Item No. 46. To Wallace King, for traveling expenses as clerk to Committee on Education of the Senate, for the session one thousand nine hundred and ten, sixty-nine dollars, $69 00

Item No. 47. To George W. Watson, for traveling expenses as clerk to Committee on Public Health of the Senate, for the session one thousand nine hundred and ten, forty-five dollars, $45 00

Item No. 48. To Henry Major, for traveling expenses as doorkeeper of the Senate, for the session one thousand nine hundred and ten, sixty dollars, $60 00

Item No. 49. To Ernest A. Schmidt, for traveling expenses as doorkeeper of the

Senate, for the session one thousand nine hundred and ten, thirty-one dollars, $31 00

Item No. 50. To Frank L. Wallace, for traveling expenses as doorkeeper of the Senate, for the session one thousand nine hundred and ten, fifty-three dollars and eighty cents, $53 80

Item No. 51. To Gervas A. Hall, for traveling expenses as doorkeeper of the Senate, for the session one thousand nine hundred and ten, fifty-five dollars, $55 00

Item No. 52. To William A. Kline, for traveling expenses as doorkeeper of the Senate, for the session one thousand nine hundred and ten, thirty-two dollars, $32 00

Item No. 53. To George W. Mount, for traveling expenses as doorkeeper of the Senate, for the session one thousand nine hundred and ten, sixteen dollars, $16 00

Item No. 54. To Harold Willets, for traveling expenses as page of the Senate, for the session one thousand nine hundred and ten, sixty dollars, $60 00

Item No. 55. To Frank Feussner, for traveling expenses as page of the Senate, for the session one thousand nine hundred and ten, twenty dollars and eighty cents, $20 80

Item No. 56. To Clifford Shangle, for traveling expenses as page of the Senate, for the session one thousand nine hundred and ten, sixteen dollars and eighty cents, $16 80

Item No. 57. To Clarence Hand, for traveling expenses as page of the Senate, for the session one thousand nine hundred and ten, fifty dollars and forty cents, $50 40

Item No. 58. To Dorrace Smith, for traveling expenses as page of the Senate, for the session one thousand nine hundred and ten, thirty-two dollars, $32 00

Item No. 59. To W. Grove Conrad, for traveling expenses as page of the Senate,

for the session one thousand nine hundred and ten, seventy-eight dollars and eighty cents, $78 80

Item No. 60. To Rudolph A. Wiseman, for traveling expenses as page of the Senate, for the session one thousand nine hundred and ten, sixty-nine dollars, $69 00

Item No. 61. To David Henderson, for traveling expenses as gallery keeper of the Senate, for the session one thousand nine hundred and ten, sixty dollars, $60 00

Item No. 62. To Daniel Cosgrove, for traveling expenses as gallery keeper of the Senate, for the session one thousand nine hundred and ten, sixty-five dollars, $65 00

Item No. 63. To William A. Wood, for traveling expenses as gallery keeper of the Senate, for the session one thousand nine hundred and ten, thirty-four dollars, $34 00

Item No. 64. To Thomas M. McArthur, for traveling expenses as file clerk of the Senate, for the session one thousand nine hundred and ten, forty-two dollars, $42 00

Item No. 65. To William Whittle, for traveling expenses as file clerk of the Senate, for the session one thousand nine hundred and ten, fifty-three dollars and sixty cents, $53 60

Item No. 66. To Joseph P. Cahill, for traveling expenses as file clerk of the Senate, for the session one thousand nine hundred and ten, forty-two dollars and eighty cents, $42 80

Item No. 67. To Joshua Watson, for traveling expenses as cloakroom keeper of the Senate, for the session one thousand nine hundred and ten, twenty-five dollars, $25 00

Item No. 68. To W. L. Dill, for traveling expenses as assistant stenographer to the Senate, for the session one thousand nine hundred and ten, sixty-nine dollars. $69 00

Item No. 69. To Gaudaloup A. Holl, for postage for the Senate, for the session one thousand nine hundred and ten, two hundred thirty-two dollars and three cents, $232 03

Item No. 70. To Legislative News Bureau, for services rendered the Senate in furnishing copies of bills introduced and passed, for the session one thousand nine hundred and ten, seventy-two dollars, $72 00

Item No. 71. To State Gazette Publishing Company, for stationery supplies furnished the Senate, for the session one thousand nine hundred and ten, one thousand four hundred ninety-three dollars and fifty-four cents, $1,493 54

Item No. 72. To L. N. Clayton, for stationery supplies furnished the Senate, for the session one thousand nine hundred and ten, fifty-five dollars, $55 00

Item No. 73. To MacCrellish & Quigley, for stationery furnished the Senate, for the session one thousand nine hundred and ten, ninety-two dollars and fifty cents, $92 50

Item No. 74. To E. S. Applegate & Co., for stationery supplies furnished the Senate, for the session one thousand nine hundred and ten, thirty-two dollars and seventy--five cents, $32 75

Item No. 75. To the Western Union Telegraph Company, for telegraphic service furnished the Senate, for the session one thousand nine hundred and ten, five dollars and fifty-nine cents, $5 59

Item No. 76. To the Delaware and Atlantic Telegraph and Telephone Company, for telephone and long distance service furnished the Senate for the session one thousand nine hundred and ten, seven dollars and thirty cents, $7 30

Item No. 77. To George H. Freyberger, for services as assistant journal clerk of

the House of Assembly, for the session one thousand nine hundred and ten, five hundred dollars, $500 00

Item No. 78. To Lewis R. Williams, for services as assistant to journal clerk of the House of Assembly for the session one thousand nine hundred and ten, one hundred dollars, $100 00

Item No. 79. To Enoch S. Clouting, for services as assistant to clerk of the House of Assembly, for the session one thousand nine hundred and ten, five hundred dollars, $500 00

Item No. 80. To Thomas H. Cummings, for services as assistant to supervisor of bills of the House of Assembly, for the session one thousand nine hundred and ten, five hundred dollars, $500 00

Item No. 81. To James Millmore, for traveling expenses as postmaster to the House of Assembly, for the session one thousand nine hundred and ten, fifty-five dollars, $55 00

Item No. 82. To William E. Blackman, for services as stenographer to the House of Assembly, for the session one thousand nine hundred and ten, five hundred dollars, $500 00

Item No. 83. To James Rowbotham, for services as stenographer to the House of Assembly, for the session one thousand nine hundred and ten, five hundred dollars, $500 00

Item No. 84. To Harry G. Snyder, for services as clerk to Committee on Corporations of the House of Assembly, for the session one thousand nine hundred and ten, three hundred dollars, $300 00

Item No. 85. To Philip Simon, for services as clerk to Committee on Highways of the House of Assembly, for the session one

New Jersey State Library

thousand nine hundred and ten, three hundred dollars, $300 00

Item No. 86. To Charles O. Moench, for services as clerk to Committee on Banks and Insurance of the House of Assembly, for the session one thousand nine hundred and ten, three hundred dollars, $300 00

Item No. 87. To Edward S. Simonson, for services as clerk to Committee on Militia of the House of Assembly for the session one thousand nine hundred and ten, three hundred dollars, $300 00

Item No. 88. To Frank A. Sciutto, for services as clerk to Committee on Incidentals of the House of Assembly, for the session one thousand nine hundred and ten, one hundred and fifty dollars, $150 00

Item No. 89. To Floran Mason, for services as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 90. To August Kemmer, for services as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 91. To James Linarducci, for services as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 92. To Martin H. Gervin, for services as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 93. To Frank S. Stecher, for services as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 94. To Joseph H. Brown, for services as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

Item No. 95. To James Millmore, for services as page and postmaster to the House of Assembly for the session one thousand nine hundred and ten, three hundred dollars, $300 00

Item No. 96. To John J. Oliver, for services as page and postmaster to the House of Assembly, for the session one thousand nine hundred and ten, three hundred dollars, $300 00

Item No. 97. To Joseph Epstein, for services as page and postmaster to the House of Assembly, for the session one thousand nine hundred and ten, three hundred dollars, $300 00

Item No. 98. To William C. Kelland, for services as page to the House of Assembly, for the session one thousand nine hundred and ten, two hundred dollars, $200 00

Item No. 99. To Leroy Yates, for services as page to the House of Assembly, for the session one thousand nine hundred and ten, two hundred dollars, $200 00

Item No. 100. To Joseph Senger, for services as page to the House of Assembly, for the session one thousand nine hundred and ten, two hundred dollars, $200 00

Item No. 101. To Sewell Thompson, for services as page to the House of Assembly, for the session one thousand nine hundred and ten, two hundred dollars, $200 00

Item No. 102. To Edward Simonson, for services as page to the House of Assembly, for the session one thousand nine hundred and ten, two hundred dollars, $200 00

Item No. 103. To Allen L. Powell, for ser-

vices as page to the House of Assembly, for the session one thousand nine hundred and ten, two hundred dollars, $200 00

Item No. 104. To David D. Mueller, for services as page to the House of Assembly, for the session one thousand nine hundred and ten, two hundred dollars, $200 00

Item No. 105. To Charles Shivers, for services as page to the House of Assembly, for the session one thousand nine hundred and ten, two hundred dollars, $200 00

Item No. 106. To Robert E. Hall, for services as postmaster to the House of Assembly, for the session one thousand nine hundred and ten, one hundred dollars, $100 00

Item No. 107. To William Channell, for services as messenger to the House of Assembly, for the session one thousand nine hundred and ten, one hundred and fifty dollars, $150 00

Item No. 108. To Emanual Jaffey, for services as messenger to the House of Assembly, for the session one thousand nine hundred and ten, one hundred dollars, $100 00

Item No. 109. To H. L. Baily, for traveling expenses as clerk to Committee on Municipal Corporations of the House of Assembly, for the session one thousand nine hundred and ten, forty dollars, $40 00

Item No. 110. To Lee F. Washington, for traveling expenses as clerk to Committee on Judiciary of the House of Assembly, for the session one thousand nine hundred and ten, sixty dollars, $60 00

Item No. 111. To James E. Warner, for traveling expenses as clerk to Committee on Revision of Laws of the House of Assembly, for the session one thousand nine hundred and ten, thirty-eight dollars, $38 00

Item No. 112. To Thomas H. Cummings, for traveling expenses as assistant to the

supervisor of bills of the House of Assembly, for the session one thousand nine hundred and ten, sixty-five dollars, $65 00

Item No. 113. To Harry G. Snyder, for traveling expenses as clerk to Committee on Corporations of the House of Assembly, for the session one thousand nine hundred and ten, sixty-nine dollars, $69 00

Item No. 114. To Charles O. Moench, for traveling expenses as clerk to Committee on Banks and Insurance of the House of Assembly, for the session one thousand nine hundred and ten, sixty-five dollars, $65 00

Item No. 115. To Frank A. Sciutto, for traveling expenses as clerk to Committee on Incidentals of the House of Assembly, for the session one thousand nine hundred and ten, forty-one dollars and fifty cents, $41 50

Item No. 116. To Frank H. Ludlow, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, eighty-two dollars, $82 00

Item No. 117. To Thomas Cole, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, sixty dollars, $60 00

Item No. 118. To Frank A. Poole, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, fifty-five dollars, $55 00

Item No. 119. To John W. Cox, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, twenty-nine dollars, $29 00

Item No. 120. To Harry A. Goodman, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, twenty-five dollars, $25 00

Item No. 121. To Frank T. Greaves, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, sixty-nine dollars, $69 00

Item No. 122. To James L. Layden, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, sixty-nine dollars, $69 00

Item No. 123. To Robt. O. Senskowsky, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, forty-two dollars and eighty cents, $42 80

Item No. 124. To Joseph R. Buckley, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, forty-two dollars and eighty cents, $42 80

Item No. 125. To Major McDaniels, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, seventy-three dollars and eighty cents, $73 80

Item No. 126. To William A. Kenny, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, eighty-four dollars, $84 00

Item No. 127. To L. H. Greenwood, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, forty-four dollars and twenty cents, $44 20

Item No. 128. To Martin H. Gervin, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, twenty-one dollars, $21 00

Item No. 129. To Frank S. Stecher, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, nineteen dollars and forty cents, $19 40

Item No. 130. To Joseph Linarducci, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, forty-eight dollars, $48 00

Item No. 131. To August Kemmer, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, forty-eight dollars, $48 00

Item No. 132. To Joseph H. Brown, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, seventy-one dollars and eighty cents, $71 80

Item No. 133. To Floran Mason, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, seventy dollars, $70 00

Item No. 134. To Simon W. Besser, for traveling expenses as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, twenty-five dollars, $25 00

Item No. 135. To Joseph Navotta, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, thirty-one dollars, $31 00

Item No. 136. To Frank Suydam, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, five dollars, $5 00

Item No. 137. To Francis O. Wilkins, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, twenty-three dollars and eighty cents, $23 80

Item No. 138. To Joseph Senger, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, sixty-five dollars, $65 00

Item No. 139. To Byron Jenkins, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, twenty-five dollars, $25 00

Item No. 140. To Harry S. Tomkins, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, forty-eight dollars, $48 00

Item No. 141. To John F. Bechler, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, forty-eight dollars, $48 00

Item No. 142. To Robert McDaniels, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, forty-eight dollars, $48 00

Item No. 143. To Emil G. Ill, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, forty-eight dollars, $48 00

Item No. 144. To William C. Kelland, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, sixty dollars, $60 00

Item No. 145. To Leroy Yates, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, seventy-three dollars and eighty cents, $73 80

Item No. 146. To Robert E. Hall, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, four dollars, $4 00

Item No. 147. To Sewell Thompson, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, thirty-four dollars, $34 00

Item No. 148. To Charles Shivers, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, forty-six dollars, $46 00

Item No. 149. To Allen L. Powell, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, fifty dollars, $50 00

Item No. 150. To David D. Mueller, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, forty-eight dollars, $48 00

Item No. 151. To Edward Simonson, for traveling expenses as page to the House of Assembly, for the session one thousand nine hundred and ten, thirty-three dollars, $33 00

Item No. 152. To John J. Oliver, for traveling expenses as postmaster to the House of Assembly, for the session one thousand nine hundred and ten, seventy-nine dollars, $79 00

Item No. 153. To Enoch Clouting, for traveling expenses as assistant to the clerk of the House of Assembly, for the session one thousand nine hundred and ten, seventy dollars, $70 00

Item No. 154. To J. Augustus Campbell, for traveling expenses as clerk to Committee on Printed Bills of the House of Assembly, for the session one thousand nine hundred and ten, thirty-five dollars, $35 00

Item No. 155. To George H. Freyburger, for traveling expenses as assistant to journal clerk to the House of Assembly, for the session one thousand nine hundred and ten, fifty dollars, $50 00

Item No. 156. To James Rowbotham, for traveling expenses as stenographer to the House of Assembly, for the session one thousand nine hundred and ten, forty-eight dollars, $48 00

Item No. 157. To Frederick Petry, Jr., for services to Committee on Incidental Expenses of the House of Assembly, for the session one thousand nine hundred and ten, ten dollars, $10 00

Item No. 158. To Lee & Co., for stationery furnished the House of Assembly, for the session one thousand nine hundred and ten, one thousand nine hundred eighty-seven dollars and sixty-eight cents, $1,987 68

Item No. 159. To C. P. Schmidt & Sons, for stationery furnished the House of Assembly, for the session one thousand nine hundred and ten, one thousand six hundred fifty-seven dollars and twenty-eight cents, $1,657 28

Item No. 160. To the State Gazette Publishing Company, for stationery furnished the House of Assembly, for the session one thousand nine hundred and ten, two hundred ninety-eight dollars and seventy cents, $298 70

Item No. 161. To the Advocate Publishing Company, for stationery furnished the House of Assembly, for the session one thousand nine hundred and ten, seven hundred ninety-six dollars and fifty-five cents, $796 55

Item No. 162. To A. L. Clark, for services rendered the House of Assembly, for the session one thousand nine hundred and nine, in engrossing and illuminating resolutions to the officers and crew of the battleship New Jersey in connection with presentation of homeward bound pennant, seventy-five dollars, $75 00

Item No. 163. To A. L. Clark, for services rendered the House of Assembly, for the session one thousand nine hundred and ten, in drawing three floor plans of the House of Assembly, nine dollars, $9 00

Item No. 164. To T. F. Fitzgerald, for copies of the legislative manual of New Jersey for one thousand nine hundred and ten furnished the House of Assembly, for the session one thousand nine hundred and ten, twenty-five dollars, $25 00

Item No. 165. To James Parker, clerk of the House of Assembly, for expenses incurred in preparation and presentation of resolutions to the crew of the battleship New Jersey, at Charlestown Navy Yard, in compliance with resolutions adopted by the the House of Assembly, March twenty-fourth and twenty-fifth, one thousand nine hundred and nine, one hundred and fifty dollars, $150 00

Item No. 166. To MacCrellish & Quigley, for stationery furnished the House of Assembly, for the session one thousand nine hundred and ten, two hundred eighty-two dollars and fifty cents, $282 50

Item No. 167. To Charles A. Meyer, for expenses incurred as secretary to Committee on Revision of the Military Code of this State of the House of Assembly, for the session one thousand nine hundred and nine, one hundred fifty-one dollars and forty cents, $151 40

Item No. 168. To Remington Typewriter Company, for rental of typewriter furnished the House of Assembly, for the session one thousand nine hundred and ten, fifteen dollars, $15 00

Item No. 169. To Petry's Express and Delivery, for cartage and freight charges paid for the House of Assembly, for the session one thousand nine hundred and ten, two dollars and thirty-five cents, $2 35

Item No. 70. To Merchants Express, for cartage and freight charges paid for the House of Assembly, for the session one

thousand nine hundred and ten, seventy-five cents, $0 75

Item No. 171. To Amos H. Radcliffe, Chairman Legislative Committee on Fish and Game, for expenses of Committee, for the session one thousand nine hundred and nine, one hundred eighty-one dollars and sixty-four cents, $181 64

Item No. 172. To Legislative News Bureau, for synopses of bills introduced furnished for the House of Assembly, for the session one thousand nine hundred and ten, one hundred dollars, $100 00

Item No. 173. To F. E. Norris & Co., for stationery furnished the House of Assembly, for the session one thousand nine hundred and ten, thirty-six dollars, $36 00

Item No. 174. To John R. Flavell, for postage for the House of Assembly, for the session one thousand nine hundred and ten, two hundred fifteen dollars and thirty-five cents, $215 35

Item No. 175. To J. H. Brown, for services rendered as secretary to Fish and Game Committee of the House of Assembly, for the session one thousand nine hundred and ten, five dollars, $5 00

Item No. 176. To the Delaware and Atlantic Telegraph and Telephone Company, for long distance telephone service furnished the House of Assembly, for the session one thousand nine hundred and ten, eight dollars and forty cents, $8 40

Item No. 177. To Byron Jenkins, for services rendered clerk of the House of Assembly, for the session one thousand nine hundred and ten, one hundred dollars, $100 00

Item No. 178. To Wilbur K. Sloan, for traveling expenses as clerk to Committee on Printed Bills of the Senate, for the session one thousand nine hundred and ten, thirty-nine dollars and sixty cents, $39 60

Item No. 179. To Simon W. Besser, for services as doorkeeper to the House of Assembly, for the session one thousand nine hundred and ten, three hundred and fifty dollars, $350 00

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 238.

An Act to authorize cities to acquire certain old burying-grounds or cemeteries for park purposes and to provide a method therefor.

Preamble.

WHEREAS, In Some of the cities of this State there exist old burying-grounds or cemeteries which are uncared for and neglected for the reason that the church or corporation in charge thereof has not sufficient funds to properly care for the same;

AND WHEREAS, In many instances the companies or church organization originally owning the said cemeteries have executed deeds to persons for individual lots and plots in the said burying-grounds or cemeteries without making any provision for the care of the same, and many of said persons and their descendants have removed from the vicinity and allowed the said lots and plots to be neglected, whereby the said cemeteries have become a public nuisance, and a detriment to the morals and health of the people of such cities;

AND WHEREAS, The grading of the land in some of such burying-grounds or cemeteries is such that it is very expensive to care for the same properly;

AND WHEREAS, It is to the interest of the people of such cities that the bodies interred in such burying-grounds or cemeteries should be removed and re-interred in a more suitable place, and such old burying-grounds converted into public parks; therefore

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

Disposition of burial grounds neglected.

1. Wherever there exists in any city of this State a burying-ground or cemetery, owned and controlled by any church or other corporation, which church or corporation is unable to properly care for the same, and by reason thereof the said burying-ground or cemetery has become a public nuisance, the said church or other corporation may apply to the board having charge or control of the finances in such city to take possession of the said burying-ground or cemetery and may convey to said city its interest in the whole or any part thereof.

Apply to city to take possession.

2. Wherever there exists in any city in this State any burying-ground or cemetery, owned or controlled by a church or other corporation, which has neglected to care for the same so that in the opinion of the board of health of such city the said burying-ground or cemetery has become a detriment to public health and to the morals of the community, the said board of health may apply to the board or body having charge or control of the finances of said city to take possession of said burying-ground or cemetery.

Investigation of conditions.

3. Upon receiving such request from such corporation or such board of health the board or body having charge or control of the finances of such city shall investigate whether or not the said cemetery is so located that it is inconvenient to care for the same properly and whether or not it is for the best interest of the people of the city where the same is located that the bodies interred therein should be removed and re-interred in a more suitable place, and such old burying-ground or cemetery converted into a park.

City may accept conveyance.

4. If such board or body having charge or control of the finances of such city should determine for the reasons aforesaid that the bodies aforesaid should be removed from any such old burying-ground or cemetery, and the same converted into a park, it shall be lawful for it to accept on behalf of the city from such church or other corporation a deed of conveyance of the said burying-ground or cemetery, and to cause possession thereof to be taken on behalf of the city.

Application to court.

5. In case the application is made by a board of health as provided in section two, and the church or other corporation controlling such burying-ground or cemetery shall refuse or neglect to execute such deed, or is unable to convey the whole or any part of such burying-ground or cemetery to such city by reason of having conveyed lots or plots or some interest therein to private persons, then it shall be lawful for the said board or body having charge or control of the finances of such city to apply by petition to the circuit court of the county, wherein such city is located, setting forth that the said burying-ground or cemetery has become a nuisance, and is a detriment to the health and morals of the people of such city, for an order permitting some board or body of the said city to take possession of said burying-ground or cemetery and to cause the bodies in said burying-ground or cemetery to be disinterred and to be removed to some suitable place either within or without the limits of the said municipality.

Day fixed for hearing.

6. Upon receiving such petition the said Circuit Court shall fix a day for the hearing upon said petition and shall order the said municipality to give such notice of said hearing as said court may designate.

Hearing.

7. Upon the return day of such notice, or upon a day to which the said hearing may be adjourned, the said court upon hearing all parties interested, who may desire to be heard, if the said petition is well founded and true, may adjudge that the said burying-ground or cemetery has become a public nuisance and that the bodies therein should be disinterred and removed to a more suitable place.

Decision.

Bodies disinterred and reburied elsewhere.

8. Upon the execution of the deed referred to in section four or upon the making of the order referred to in section seven, it shall be lawful for the said board or body having charge or control of the finances to cause the bodies buried in the said burying-ground or cemetery to be disinterred and to be removed and reburied in another cemetery or in some other suitable place, and for that purpose it may enter into a contract with any cemetery company or church organization owning or controlling any cemetery or with any other person to take up and remove the said bodies and to

inter the same in any other cemetery or suitable place, and to remove from such abandoned burying-grounds or cemeteries any headstones or markers and replace the same over the proper bodies in the new place of interment and to provide for the proper care of such new place of interment. The said board or body having control of the finances shall cause records and maps to be prepared and filed in the office of the city clerk, on which shall be recorded, as nearly as can be ascertained, the names of all bodies disinterred and the lots or plots from which they were taken in any such old burying-ground or cemetery, and the cemetery or place to which they have been taken, and the lots or plots in which they may be reinterred.

Plans of cemetery preserved.

Use of abandoned cemetery.

9. After the completion of the removal of said bodies the said city by the board or body therein having charge of its parks may enter upon and take possession of the said abandoned cemetery and convert the same into a public park.

Action in case conveyance not effected.

10. In case of the neglect, or refusal or inability of such church or other corporation to convey such burying-ground or cemetery to such city, and after the making of the order referred to in section seven hereof, the board or body having charge or control shall then apply to the Circuit Court of the county wherein such municipality is located for the appointment of three commissioners to appraise the value of the said burying-ground or cemetery and the rights of any person owning any lot or plot therein. Upon the appointment of the said three commissioners they shall give notice in such manner as said court may designate to all persons claiming any interest in the said premises, to present their claims to the said commission, who shall give a public hearing to all persons interested who may present themselves. The said commission shall appraise the value of each separate lot or plot and other lands included within said burying-ground or cemetery.

Commission to appraise appointed.

Expenses of removals, etc., ascertained.

11. The said commission shall further ascertain the cost of the removal of the bodies from each of said lots and the cost of securing the new site, and the cost of such disinterment and re-interment and this cost shall be a first lien against the value of the lots

or plots in the abandoned cemetery as appraised, and the said city shall pay to the owners of each lot or plot the difference, if any, between the value of the lots in the abandoned cemetery as appraised and the cost of removing the said bodies and re-interring them in a new cemetery.

Report to court.

12. The said commission shall report to said Circuit Court the appraised value of each of said lots or plots and other lands within said burying-ground or cemetery, and the amounts charged against each of said lots or plots for the removal of said bodies and the re-interment thereof, which report may be confirmed or corrected by said court, which shall fix a day and place for the hearing of objections thereto, and shall give public notice thereof by such advertisement as it shall think proper.

Appeal may be taken.

13. In case the owner of any lot or plot or other lands within said burying-ground or cemetery shall feel aggrieved by the report of said commissioners he may appeal therefrom to said Circuit Court by serving upon the city clerk of such city, within ten days after the confirmation of such report, a notice stating such appeal, and thereafter the proceedings upon said appeal shall be in the manner provided for appeals from the report of commissioners in 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.

Provision for city to meet expenses connected therewith.

14. The board or body having charge or control of the finances of such city may from time to time borrow the money necessary for the acquisition of said burying-grounds or cemeteries as aforesaid and the disinterment of the bodies and the re-interment of the same and all expenses connected therewith, and issue temporary obligations therefor, and after the entire cost thereof has been ascertained may issue interest-bearing bonds of the said municipality to take up such temporary obligations.

15. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 239.

An Act to amend the title and body of an act entitled "An act to provide for the purchase of sites for and the erection of armories in cities of the first and second class in this State, and cavalry armories in municipalities of this State wherein there is now, or hereafter shall be, located the headquarters of a troop of cavalry of the national guard of this State which has been, or shall have been, in the service of this State not less than ten years, and making appropriations therefor, and to provide for the taking of real estate for such sites by commission in case the same cannot be purchased by agreement," approved March twenty-third, one thousand eight hundred and eighty-eight.

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

Amended title.

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

"An act to provide for the purchase of sites for and the erection and equipment of armories in cities of the first and second class in this State, and cavalry, artillery and naval reserve armories in municipalities of this State wherein there is now, or hereafter shall be, located the headquarters of a troop of cavalry, a battery of artillery or a battalion of naval reserve of the national guard of this State which has been, or shall have been, in the service of this State not less than ten years, and making appropriations therefor, and to provide for the taking or real estate for such sites by commission in case the same cannot be purchased by agreement."

2. Section one of said act be and the same is hereby amended so as to read as follows: Section 1 amended.

1. The members of the military board of the State of New Jersey for the time being, be and they are hereby appointed and constituted a commission for the purpose of this act, to select and purchase, on behalf and in the name of the State of New Jersey, a plot of ground in each of such cities of the State of the first and second class, where there are now or hereafter shall be established regimental or battalion headquarters of the national guard, suitable for the purposes of an armory, and the said military board of this State is also hereby authorized to select and purchase, on behalf and in the name of the State of New Jersey, a plot or plots of ground in each, any or either of the cities, incorporated towns, boroughs, townships, or any other municipalities of this State wherein there is now, or hereafter shall be, located the headquarters of a troop of cavalry, a battery of artillery, or a battalion of naval reserve of the national guard of the State of New Jersey, which has been, or shall have been, in the service of the State of New Jersey not less than ten years, suitable for the purposes of a cavalry, artillery or naval reserve armory, as the case may be, and if such lands, or any part of them, cannot be obtained by agreement with the owner or owners thereof said commission shall acquire the title thereto by the exercise of the right of eminent domain in proceedings duly taken and had under and in accordance with the provisions hereafter specified. Military board constituted commission to acquire lands for armories.

3. Section three of said act be and the same is hereby amended so as to read as follows: Section 3 amended.

3. The county collector in any county in which any such city, incorporated town, borough, township or other municipality is located, whenever a written notice shall be served upon him by the aforesaid commission, stating that lands suitable for the purpose of an armory for a regiment or battalion, or for a troop of cavalry, a battery of artillery or a battalion of naval reserve of the national guard of the State of New Jersey, have been contracted for or purchased, or the title or titles County collector to notify freeholders.

thereto has or have been acquired, shall forthwith notify the board of chosen freeholders of such county of the action of the commission, and the said board of chosen freeholders shall set apart for the use of the said commission, out of any moneys in the county treasury, the amount stated in said notice or notices as required by said commission, not to exceed, however, the sum of thirty-five thousand dollars for each entire plot or parcel of land thus acquired for armory purposes as aforesaid; and in case the said board of chosen freeholders shall not have moneys enough on hand to meet such appropriation or appropriations, then it shall be the duty of such board to issue bonds in an amount sufficient to meet such appropriation or appropriations, as and when made, at a rate of interest not exceeding five per centum per annum, and payable in whole or in part not more than fifteen years from the date of the issue thereof, and to sell the said bonds at public or private sale for an amount not less than the par value thereof; the said moneys, when so appropriated respectively as aforesaid, or the proceeds of the sale of such bonds, shall be retained by the said county collector, and shall be by him paid out upon the written requisition of the aforesaid commission, by which it shall be applied to the payment of the amount of the purchase price or cost of said land so acquired for armory purposes as aforesaid, and any damage for awards or compensation which may be made under the proceedings to acquire said title or titles as aforesaid, and the costs and expenses of acquiring said title or titles, and the grading, filling, excavating, draining, paving and fencing of said lands so acquired, and the interior completion, and also the equipping and furnishing of said armories, drill-rooms, company-rooms and store-rooms, or a suitable cavalry, artillery or naval reserve armory, as the case may be, with drill hall for mounted drills, pistol and rifle ranges, store-rooms for arms, horse equipments and accoutrements, officers' rooms and necessary rooms, fixtures and appurtenances, including suitable apparatus for heating and lighting the same when built, and any expenses incident to the carrying out of the provisions of this

Freeholders to set apart money.

Amount.

Bond issue.

Rate.

Time.

Use of proceeds.

act, the entire cost of which in each city, incorporated town, borough, township or other municipality of this State shall not exceed the sum of thirty-five thousand dollars, for each of such armories. Total cost allowable.

4. Section four of said act be and the same is hereby amended so as to read as follows: Section 4 amended.

4. Whenever the lands above mentioned shall be purchased, or the title thereof shall have been acquired in the manner aforesaid, it shall be the duty of the said commission forthwith to proceed to obtain, by competition or otherwise, plans and specifications for the construction of a suitable armory, drill-rooms, company-rooms and store-rooms, or a suitable cavalry, artillery or naval reserve armory, as the case may be, with drill-hall for mounted drills, pistol and rifle ranges, store-rooms for arms, horse equipments and accoutrements, officers' rooms and necessary rooms, fixtures and appurtenances, including suitable apparatus for heating and lighting the same, the entire cost of which said armory, drill-rooms, company-rooms and store-rooms, or a suitable cavalry, artillery or naval reserve armory, as the case may be, in each city, or any other municipality of this State, wherein there is now, or hereafter shall be, located the headquarters of a troop of cavalry, a battery of artillery or a battalion of naval reserve of the national guard of the State of New Jersey, which has been, or shall have been, in the service of the State not less than ten years, and the apparatus for heating and lighting the same shall not, in the aggregate, exceed the sum of one hundred thousand dollars, which sum is hereby appropriated for that purpose for each city or any other municipality in which such armory or cavalry, artillery or naval reserve armory shall be erected; and the Comptroller is directed from time to time to pay the same, or as much thereof as may be necessary for the aforesaid purpose, out of any money in the treasury not otherwise appropriated, on the written requisition of the said commission; but no expenditures, except for plans and specifications and for printing notices, shall be made as provided in this section until the title to a suitable site for such armory in such cities Plans prepared for armory. Appropriation. Partial payments.

or other municipalities, respectively, free from all encumbrances, certified by the Attorney-General to be sufficient and in due form, shall be vested in the State of New Jersey, nor until a contract or contracts for the completion of such armory, or a suitable cavalry, artillery or naval reserve armory, as the case may be, with drill-hall for mounted drills, pistol and rifle ranges, store-rooms for arms, horse equipments, and accoutrements, officers' rooms and necessary rooms and appurtenances, and necessary fixtures within the limits of this appropriation shall have been executed as herein provided.

Section 5 amended.

5. Section five of said act be and the same is hereby amended so as to read as follows:

Commission to erect armory, etc.

5. When said commission shall have procured suitable plans for an armory to be erected on such site, they shall cause to be erected on such site an armory, with suitable drill-room, company-rooms, store-rooms, or a suitable cavalry, artillery, or naval reserve armory, as the case may be, with drill hall for mounted drills, pistol and rifle ranges, store-rooms for arms, horse equipments, and accoutrements, officers' rooms and necessary rooms, fixtures and appurtenances, and all other necessary and proper appurtenances for the best accommodation of the national guard of this State, and shall cause the ground to be suitably graded, drained and otherwise prepared for such armory, or cavalry, artillery or naval reserve armory, as the case may be.

Section 6 amended.

Section six of the said act be and the same is hereby amended so as to read as follows:

Work done by contract.

6. The work aforesaid shall be done by contract, to be awarded to the lowest responsible bidder or bidders, after not less than two weeks' public notice of the time

Bids invited.

and place when and where bids therefor will be received, at which time the bids shall be publicly opened, but the commission may reject any or all bids and advertise anew for bids; and the commission shall prescribe in the advertisements and in the contracts to be entered into for the erection of such armory, or cavalry, artillery or naval reserve armory, as the case may be, and fixtures and appurtenances, or for doing any work

pertaining thereto, such conditions as they shall deem most for the interest of the State.

7. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 240.

An Act to amend 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 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 nineteen of the act to which this is an amendment is hereby amended so as to read as follows:

Section 19 amended.

19. Should any person endorsed in any petition as a candidate to be voted for at any primary election, die before such election, or in writing filed with the municipal clerk twelve days before the primary election, decline to stand as a candidate, the vacancy or vacancies thus caused shall be filled by a majority of the persons signing the petition in and by which the person so dying or declining was endorsed, filing within three days after the occurrence of such vacancy with the municipal clerk a new petition, setting forth the name of the person declining or dying, the office for nomination to which or the position of delegate for which he was endorsed, and the name of the person to be substituted; the said petition shall be verified by three of the signers; the said new petition shall have the same force and effect as the original petition, and the name of the person so substituted shall be printed upon the ballots in the place and stead of the person dying, or declining as aforesaid.

Vacancies among candidates at primary election.

New petition.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 241.

An Act to repeal a portion of an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Atlantic, in the State of New Jersey," approved March thirtieth, one thousand nine hundred and five.

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

Section 10 repealed.

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

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 242.

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 95 amended.

1. Section ninety-five of 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, is amended to read as follows:

Purposes for which special tax may be raised.

95. The legal voters of each township, incorporated town or borough school district may, at any annual or special meeting of said legal voters, by the vote of a majority of those present, raise by a special district tax such sum or sums as a majority of said legal voters present at such meeting may agree upon for any or all of the following purposes: To enable the board of education to purchase or take and condemn land for school purposes; to build, enlarge, repair or furnish a school-house, or to pay a debt incurred therefor; for industrial schools, for manual training, and for the current expenses of the schools, in which term shall be included principals', teachers', janitors' and medical inspectors' salaries, fuel, textbooks, school supplies, flags, transportation of pupils, tuition of pupils attending schools in other districts with the consent of the board of education, school libraries, compensation of the district clerk, of the custodian of the school moneys and of truant officers, truant schools, insurance and the incidental expenses of the schools. In case any money shall be ordered to be raised by special tax, the district clerk shall make out and sign a certificate thereof, under oath or affirmation, that the same is correct and true, and deliver the same to the board of taxation of the county in which such school district shall be situate, on or before the third Tuesday in August in each year, and shall send a duplicate of said certificate to the county superintendent of schools. The assessor of any taxing district shall assess on the inhabitants of the school district and their estates, and the taxable property therein, in the same manner as other taxes shall be assessed, and the collector of such taxing district shall levy and collect such sum of money as shall have been ordered to be raised by the legal voters in the manner aforesaid, and shall pay the same to the custodian of the school moneys of the school district as is in this act provided, and for collecting said tax, said collector, except such as receive a salary in lieu of fees, shall receive an amount equal to three-fourths of one per centum of the amount of said tax collected by him, said compensation to be paid by the township com-

Enumerated.

Assessment and collection.

mittee or other governing body of the municipality wherein said tax shall be collected. Said collector shall pay to said custodian, on or before the twenty-second day of December in each year, the full amount of said tax out of any moneys in his hands, except moneys received from the county collector on the order of the county superintendent of schools; *provided,* that when there shall be no funds in the hands of said collector available for such purpose, the township committee, common council or other body having control of the finances of the municipality in which such school district shall be situate, shall borrow and appropriate a sum suffcient for such purpose; *provided further,* that when any meeting shall be held as aforesaid it shall not be lawful for such meeting to order a greater sum of money raised by special tax than shall have been mentioned and designated in the notices calling such meeting.

Payment to custodian.

Proviso.

Proviso.

2. All acts or parts of acts inconsistent with this act are hereby repealed.

Repealer.

3. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 243.

An Act concerning the re-location of the tracks of street railway and traction companies and companies owning or operating street railways or traction railways in this State.

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

1. Whenever any street railway or traction company or company owning or operating a street railway or traction railway in this State shall change the location of its tracks, or any part thereof, in any street or public highway to another part of such street or high-

Time for operating street railway not changed by relocation of tracks.

way, or whenever such street railway or traction company shall change the location of its tracks or any part thereof from a private right of way proposed to be taken for highway purposes to a new location within the lines of a public highway, at the request of the board or boards, body or bodies charged with the maintenance and repair of the street or highway on which such tracks shall be re-located or to which such tracks shall be removed from a private right of way, the company so changing the location of its tracks, and its successors and assigns, shall have the right to maintain and operate the same in the new location for as long a period as it had the right to maintain and operate the tracks in their former location at the time of such re-location.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 244.

An Act regulating and controlling the taking, planting, propagating and cultivating of oysters and clams on lands lying under the tidal waters of certain portions of the Tuckahoe, Middle and Great Egg Harbor rivers and Patcong creek and other tributaries of the Tuckahoe, Middle and Great Egg Harbor rivers, which portions lie, however, within the boundaries of Atlantic county, in the State of New Jersey.

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

Lands that may be leased.

1. The State Oyster Commission having control of such land lying under the tidewaters of such portions of the Tuckahoe river and tributaries thereof as shall lie within the boundaries of Atlantic county, of Middle river and the tributaries thereof and of Great Egg Harbor river, and the tributaries thereof, above a line

drawn from a point on the southwest side of Tuckahoe river known as Broad Reach point, thence northeasterly to a point in Great Egg Harbor river on the northwest bank thereof, opposite the upper point of Upper Nuckerson Island, thence southeasterly across Great Egg Harbor river to Hughes Point and of Patcong creek in Atlantic county above or northwardly from a line drawn from South Point on the west bank to the southerly point of Doles Island in said creek, shall have power and are hereby directed to lease to applicants thereof any of the lands of the State lying under the above sections of the aforesaid tidal waters; said lands so leased to be exclusively enjoyed by such lessee for the taking, planting, propagating and cultivating of oysters, the provisions of any act of the Legislature of New Jersey relating to or respecting the regulation and control of the taking, planting, propagating and cultivating of oysters and clams on lands lying under the above portions of said tidal waters to the contrary notwithstanding; said leases, however, to be issued under and subject to the following conditions and limitations, to wit:

Conditions of leases.

Time and acreage.

(*a*) No lease shall be for a period exceeding ten years, but each lessee, however, shall have the right to one renewal of his lease for a period not exceeding ten years and any one person shall have leased to him under the terms of this act but one plot containing not more than five acres and not less than two acres each, nor shall any lease be for a plot of ground containing more than five acres of such grounds. Acres leased shall be contiguous.

Rental.

(*b*) There shall be charged and paid for such lease an annual rental of three dollars per acre for each of the first three years and five dollars per acre for each succeeding year, payable for the first year when lease is granted and for each succeeding year within thirty days (30) after the beginning of said year, and in case of the failure to pay said rental, such lease shall be forfeited and void and such lands shall again be leased as hereby provided for; *provided, however,* that no lease shall be forfeited by failure to perform any con-

Proviso.

ditions required by this act until said Commission shall have first given the lessee an opportunity to be heard thereon after notice as hereinafter provided for.

Forfeiture of lease for cause.

(*c*) In case any lessee fails to plant, work or otherwise improve the grounds leased within one year from the date of such lease, or fails, neglects or refuses to plant, work or otherwise improve the grounds leased for two consecutive years at any time during the continuance of said lease, then such lease shall become forfeited and void and such lands be again leased as hereby provided for.

No subletting.

(*d*) No lands so leased or any part thereof shall be sublet by the lessee and no lease shall be made to any person not a resident of the State of New Jersey for at least one year prior to such leasing. Violations of this section shall constitute a forfeiture of such lease.

No control of riparian lands.

(*e*) Nothing in this act shall be construed to give said Commissioners any jurisdiction or control over any lands to which the riparian grant has been made by the Riparian Commissioners of this State.

Sale of leases of unclaimed grounds after three years.

2. After a lapse of three years from the date of the approval of this act, if any of such grounds are not leased by said Commissioners, it shall be lawful for and the said Commissioners and the State oyster superintendent are hereby authorized to advertise a sale by auction of the leases for remaining lands in plots of not more than ten acres, for the best price per year as may be bid therefor. Said lease to be for similar terms with privilege of renewal as provided in section one of this act. Said advertisements to consist of notices set up in ten public places in said county at least thirty days prior to the date fixed for said auction and published in two newspapers printed and published in the county in which such lands lie, at least once in each week for four weeks prior to said auction.

Fishery rights protected.

3. Nothing herein shall be construed so as to modify, change or interfere with any right of fishing in said tidal waters and no such lease shall abrogate or destroy any such fishing right now existent and upon which taxes are now paid. This act shall in no way affect leases heretofore made under the laws of this State for lands

to be used for the planting of oysters and no lease made for such planting grounds to any person shall prevent such person from securing leases under this act.

Laws applicable.

4. The provisions of the laws of the State respecting the State Oyster Commission and State oyster superintendent now established in Atlantic county respecting and relating to the giving of notice of intended forfeiture of leases, removal of oysters and clams from forfeited grounds, measuring, locating, and mapping of leased grounds, recording of leases, form of application, payment of rentals to the State, arrest for violations of the provisions of this act, shall apply to the proceedings and acts required and permitted to be done by this act when not inconsistent with the provisions hereof; and the provisions of this act shall be applicable to all lands under the sections of the tidal waters first herein set forth, notwithstanding the setting apart heretofore of any such lands or part thereof as public clam grounds. Every applicant shall deposit with his application such sum not exceeding the rental thereof as the State Oyster Commission shall determine, and if the applicant fails to accept such lease such sum so deposited shall be applied to the payment of costs of surveying and locating tract applied for.

Deposit by applicant.

Exclusive rights to leased grounds.

5. No person other than the lessee thereof without the consent of such lessee shall go upon, tong, dredge, take or remove any shell-fish whatsoever, soil or other materials from the surface of the beds or lands leased as hereby provided, lying beneath said tidal waters, nor interfere with the possession and use of said lands by said lessee.

Penalty for violation.

And any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars, or imprisonment in the State Prison not exceeding five (5) years, or both, at the discretion of the court.

6. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 245.

An Act to amend an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Atlantic, in the State of New Jersey," approved March thirtieth, one thousand nine hundred and five.

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

Section 21 amended.

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

Exclusive rights in leased lands.

21. No person or persons other than the lessee or lessees thereof, without the consent of such lessee or lessees first had and obtained, shall go upon, tong, dredge, take or remove any shell-fish whatsoever, soil or other material from the surface of the grounds or lands leased as hereby provided lying under said tidal waters, nor interfere with the possession and use of said grounds or lands by the said lessee or lessees, and no person or persons shall pass, throw or use a dredge upon any of the unleased oyster grounds of this State under the tidal waters of the county of Atlantic; *provided,* that any person or persons holding planted oyster ground or land leased from said State Oyster Commission may dredge upon his, her or their own leased ground or land.

Proviso.

Approved April 11, 1910.

CHAPTER 246.

An Act to amend an act entitled "A supplement to an act entitled 'An act to remove the fire and police departments in the cities of this State from political control,' approved May second, one thousand eight hundred and eighty-five, and to provide for the establishment, management and distribution of a police pension or retirement fund."

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

Section 4 amended.

1. Section four of the act entitled "An act to remove the fire and police departments in the cities of this State from political control," approved May second, one thousand eight hundred and eighty-five, and to provide for the establishment, management and distribution of a police pension or retirement fund, be and the same is hereby amended so as to read as follows:

Life pension.

4. Each of the persons hereinafter specified shall be entitled to receive a pension for life from the fund herein directed to be established, equal to one-half of the amount of his or her salary at the time of his or her retirement; *provided,* said fund shall be sufficient for the payment of the pensions hereinafter provided for, and in case it shall not be sufficient for that purpose at any time, then all of said pensions shall abate proportionately; every member of the police force or department of such cities and the matrons connected with such department having paid into the fund the full amount of the annual assessments or contributions of at least one per centum of his or her salary and who shall have received permanent disability from injury or sickness incurred while in actual service, so as to incapacitate him or her from duty, upon the certificate of the police surgeon or other physician or board of

Proviso.

Pensioners.

physicians designated by the police commissioners for this purpose; every member of the police force or department of such cities and the matrons connected with said department having paid into the fund the full amount of the annual assessments or contributions of at least one per centum of his or her salary and who shall have attained the age of fifty years and have served in all for a period of twenty years in said police force or department, or as matron connected therewith, such services not being required to be continuous and to include service in the "veteran reserve," shall, upon application of such member or such matron or at the option of the police commissioners, be so pensioned and retired, the widow of every member of the police force or department of such cities having paid into the fund the full amount of the annual assessments or contributions of at least one per centum of his salary, and who shall have lost his life in the performance of duty, shall, so long as she remains unmarried, receive a pension equivalent to one-half of the pay of her deceased husband, and at her death, unmarried, her minor children, until the youngest reaches the age of fourteen years, shall receive the amount of said pension for their support.

Section 5 amended.

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

Rules and regulations.

5. The pensions hereby authorized shall be paid monthly by the said treasurer, and the board of police commissioners of any such city shall and are hereby empowered to regulate the pensions and matters above stated, and make all requisite rules and regulations necessary therefor, not inconsistent with this act; every member of such force or department and any matron connected with such department shall be paid full compensation or salary during temporary disability occasioned while in the actual performance of his or her duty, upon the certificate of the police surgeon or other physician or board of physicians designated by the police commissioners for this purpose.

Repealer.

3. 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 April 11, 1910.

CHAPTER 247.

A Further Supplement to an act entitled "An act to remove the fire and police departments in the cities of this State from political control," approved May second, one thousand eight hundred and eighty-five (Chapter 250, Laws of 1885).

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

Provision for police pension fund.

1. In any city in which the act to which this act is a supplement has or shall become operative, the board or authority having control of the finances of such city shall borrow a sum sufficient to cover all pensions required during the remainder of the current fiscal year of such city for policemen or matrons connected with the police department of such city, or may permit the same to be paid out of any money of said city not otherwise appropriated, and shall thereafter put in the annual tax levy raised in said city a sum equal to at least one per centum of the salaries in the aggregate paid to the police force of such city, to be used and kept exclusively as a fund out of which payment of the pensions and payment for disabilities as the same are provided for by laws of this State.

2. This act shall go into effect immediately.

Approved April 11, 1910.

CHAPTER 248.

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.

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

1. Section two of the 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, be and the same is hereby amended to read as follows: Section 2 amended.

2. *And be it enacted,* That the said inspectors shall each receive a salary of five hundred dollars per annum and all necessary traveling expenses connected with the duties of their office, which shall be paid to them by the Treasurer of the State, upon the warrant of the Comptroller; they may elect a president and secretary from their own number, but these officers shall receive no additional compensation for their services; the inspectors shall meet at the State Prison within ten days after their qualification, and they shall hold monthly meetings at the prison at such times in each month as they shall determine; they shall also hold special meetings at such times as the necessities of the prison may require or when called together by the principal keeper or supervisor of the prison; they shall be invested with all the powers and duties now conferred or imposed by law upon the State Prison inspectors, excepting so far as the same are increased, decreased or abrogated by this act. Salary and expenses of State Prison Inspectors. Meetings.

3. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 249.

A Supplement to an act entitled "An act concerning cities, providing for the officers, government and powers of cities adopting the same," approved April fourteenth, one thousand nine hundred and eight.

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

Boards of police and fire commissioners to act by resolution only.

1. Whenever a board of police commissioners or board of fire commissioners is established in any city, under the provisions of the act to which this act is a supplement, such board or boards shall act only by resolution, and every resolution of such board of fire commissioners or of such board of police commissioners shall, after its adoption, be submitted to the mayor of the city, and if he approve it he shall sign it and thereupon it shall become effective, and if he disapprove it he shall endorse thereon his disapproval and his reason for so doing and shall return it to the clerk of the board, and the board shall then reconsider the same at its next regular meeting; and if upon such reconsideration the resolution receives the affirmative votes of all members of the board, then it shall become effective, notwithstanding the disapproval of the mayor.

Considered by mayor.

Resolutions returned within ten days.

The mayor shall return to the board adopting the same every resolution presented to him within ten days after he receives it, otherwise the same shall become effective without the action of the mayor thereon, on the day following the expiration of said period of ten days.

Approved April 11, 1910.

CHAPTER 250.

A Further Supplement to an act entitled "An act concerning disorderly persons (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:*

Penalty for unlawful use of transfers.

1. No transfer ticket or written or printed instrument giving or purporting to give the right of transfer to any person from a public conveyance operated upon one line or route of a street surface, elevated or underground railroad to a public conveyance upon another line or route of a street surface, elevated or underground railroad, or from one car to another car upon the same line of street surface, elevated or underground railroad, shall be issued, sold or given except to a passenger lawfully entitled thereto; any person who shall issue, sell or give such a transfer ticket or instrument aforesaid to a person not lawfully entitled thereto, and any person not lawfully entitled thereto who shall receive with intent to use for passage or who shall use or offer for passage any such transfer ticket or instrument, shall be deemed and adjudged to be a disorderly person, and on conviction thereof shall be punished by a fine of ten dollars.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 251.

An Act to promote the efficiency of fire departments in municipalities of this State other than cities of the first class.

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

Appointment as hoseman.

1. Appointments to the paid fire department of any municipality in this State other than cities of the first class, made by the board of fire commissioners or other municipal board having charge and control of said paid fire department, shall be to no higher grade than that of hoseman, or a grade equivalent thereto in point of compensation; *provided, however,* that this act shall not apply to appointments made at the time of the organization of any paid fire department hereafter organized.

Proviso.

Promotions.

2. Promotions in any of said paid fire departments shall be made from among the members thereof, and no member shall be promoted to a higher grade than that of hoseman, or a grade equivalent thereto in point of compensation, until he shall have served at least three years in said paid fire department.

Repealer.

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.

Approved April 11, 1910.

CHAPTER 252.

A Supplement to an act entitled "An act concerning paid fire departments in certain municipalities of this State, and for the relief of members thereof, their widows, dependent parents and children," approved March twenty-eighth, one thousand nine hundred and five.

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

Maximum age for appointee to derive benefits from pension fund.

1. In all municipalities of this State in which the act to which this act is a supplement shall become operative, no member of such fire department who shall hereafter be appointed a member thereof, and at the time of his appointment shall be over the age of thirty-five years, shall be eligible to membership in said pension fund; no such member, appointed as aforesaid, shall be assessed one per centum of his salary, nor shall one per centum of his salary be collected from such member, and no pension shall be paid from the pension fund in any such municipality to such member upon his retirement, or to his widow, children or dependent parents upon his death.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 253.

An Act to provide for the erection and maintenance of public baths and bath-houses in cities of the first class of this State, and to provide for the cost and the control and management thereof.

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

Bonds for bath houses.

1. It shall be lawful for the board or body having charge and control of the finances of any city of the first class of this State, in their discretion, by resolution or resolutions approved by the mayor of such city, to authorize the issuing of bonds for the purpose of erecting, establishing, equipping and furnishing in such city, from time to time, free public baths and bath-houses, and to provide by annual appropriation an amount for the annual expenses and maintenance thereof ,which amount shall be annually raised, levied and collected as other taxes in such city are now or hereafter may be levied or collected; it shall be lawful for the board or body having charge and control of the finances of such city, with the approval of the mayor, by resolution, from time to time, to issue bonds, either registered or coupon, to an amount not exceeding in all

Limit to issue.

the sum of two hundred and fifty thousand dollars, and to sell the same at public or private sale, but in no case for less than par. All issues of bonds under this act shall be exempt from taxation, and shall draw such

Rate.

rate of interest, not exceeding five per centum per annum, and be issued in such sums and made payable

Time.

at such periods, not exceeding thirty years, as the board having charge and control of the finances of such city shall determine; they shall be executed under the corporate seal of such city and the signature of the mayor and comptroller or other proper financial officer; to redeem any and all bonds issued under the provisions

of this act, the board or body having control and charge of the finances of such city shall establish a sinking fund of not less than two per centum per annum of the par amount of all bonds issued hereunder, to be annually raised, levied and collected as other taxes in such city are now or may hereafter be collected. The money derived from such sale or sales and from such issue or issues of bonds shall be used either for the purchase of suitable lands for free public baths and for the erection, establishment, equipment and furnishing of suitable baths and bath-houses thereon or for the erection, establishment, equipment and furnishing of baths and bath-houses on lands now owned by such city.

Sinking fund.

Use of proceeds.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 254.

An Act to authorize the appointment of superintendents of indoor relief in cities of this State and regulate the terms of their office and compensation.

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

1. The board of aldermen, common council or body having charge of the charities of any city in this State, may appoint a superintendent of indoor relief. Such superintendent, when appointed, shall have the management of the almshouse of such city, and the control of the inmates thereof. He shall hold office for the period of three years, the term of his office to commence on the first day of January in the year of his appointment, and he shall receive such compensation as may be fixed by the board of aldermen, common council or board having charge of such charities in and for the city for which he shall be appointed, which said compensation shall be neither increased nor decreased

Appointment.

Duties.

Term.

Salary.

during the term for which he shall be or shall have been appointed; but this act shall not terminate or abridge the term of office of any such officer holding office in such city, but such officer shall serve out the term for which he was originally elected or appointed.

Present officers not affected.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 255.

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:*

Filling vacancies occurring between last day for petition and general election.

1. In the event of a vacancy occurring by death, removal, resignation or otherwise, in any office, the candidates for which are required by law to be nominated by petition and voted upon at a primary election, which vacancy shall occur prior to the general election but subsequent to the day fixed by law as the last day for filing the appropriate petition, the county committee, or the city or other municipal committee where the vacancy affects only such city or other municipality, of each political party, is hereby authorized to select a candidate for the office in question and file a statement of such selection with the clerk of such municipality as the candidate, if elected, would serve or represent, and the person so selected shall be the candidate of the party at the ensuing general election; and the said selection shall be made by such committee within five days after the vacancy shall occur; *provided, however,* that such statement shall be filed not later than fifteen days prior to such general election; *and provided further,* that notice of the selection as afore-

Proviso.

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said shall be given by the municipal clerk to the county clerk.

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

3. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 256.

An Act to amend an act entitled "An act concerning the militia of the State," approved May sixteenth, one thousand nine hundred and six.

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

1. From and after the passage and approval of this act, the same is hereby amended to read as follows: Section 146 amended.

146. The complement allowed each naval battalion shall be twenty-two officers and two hundred and fifty-five warrant officers, chief petty officers, petty officers and enlisted men, as follows: one commander, to command the battalion; one lieutenant-commander, as executive officer, who shall be second in command; one lieutenant, as navigating officer, who shall be third in command; one lieutenant as chief engineer; one chaplain, with the relative rank of lieutenant; two lieutenants, as watch and division officers; one passed assistant paymaster, with relative rank of lieutenant; one passed assistant surgeon, with the relative rank of lieutenant; one lieutenant (junior grade), as signal officer, and one lieutenant (junior grade), as aide; two lieutenants (junior grade), as watch and division officers; one lieutenant (junior grade), as passed assistant engineer; four ensigns, as junior watch officers; two ensigns, as assistant engineers; one assistant paymaster, with relative rank of lieutenant (junior grade); one assistant surgeon, with relative rank of lieutenant

Each battalion to consist of; officers.

(junior grade); three warrant officers to rank with, but after, ensign, to be warranted by the commander and detailed to such branches of service as the commanders of battalions of their respective battalions may deem advisable; one chief master-at-arms, one chief boatswain's mate, one chief gunner's mate, one chief quartermaster, three chief machinists, one chief carpenter's mate, one chief electrician, three chief yeomen, one hospital steward, two boatswain's mates, first class; one gunner's mate, first class; two quartermasters, first class; one machinist, first class; one boiler maker, one coppersmith, two blacksmiths, one plummer and fitter, one sailmaker's mate, three water tenders, one electrician, first class; two yeomen, first class; two boatswain's mates, second class; two gunner's mates, second class; two quartermasters, second class; one machinist, second class; six oilers, one carpenter's mate, second class; two electricians, second class; one master-at-arms, third class; seven coxswains, one painter, one hospital apprentice, first class; two shipwrights, three buglers, one hospital apprentice, second class; and one hundred and forty-four enlisted men in the seamen branch and forty-five enlisted men in the engine room force to be rated therein as the commander shall direct; *provided,* that when the enlisted strength of a battalion of the naval reserve shall be less than one hundred men, such command shall not be entitled to State allowance, and may be disbanded by order of the commander-in-chief.

Petty officers.

Enlisted men.

Proviso.

148. The commander and lieutenant-commander shall be chosen by the commissioned officers of their respective naval battalions; the navigator, chief engineer, chaplain, passed assistant paymaster, passed assistant surgeon, signal officer, aide, assistant paymaster and assistant surgeon shall be appointed by the commander; the watch officers shall be chosen by the petty officers and enlisted men of the deck force; the engineer officers (other than chief engineer) shall be chosen by the petty officers and enlisted men of the engineer force; warrant officers, chief petty officers and petty officers shall be appointed and rated by the commander; *provided,* that every battalion officer so elected or appointed to

Selection of officers.

Proviso.

commissioned rank shall be examined as to his qualifications and fitness by a board of naval reserve officers to be appointed by the major-general of the National Guard of this State for the time being, and all returns of election or appointments shall bear the certificate of such board that the persons named therein have passed a satisfactory examination.

Annual cruise.

150. The Naval Reserve shall perform duty afloat in each year and for periods not exceeding two weeks in any one year, and whenever a vessel of the United States is available for instruction, such duty shall be performed thereon; the officers and enlisted men of the Naval Reserve shall receive pay for active duty as follows: commissioned officers shall receive the same pay as commissioned officers of like rank in the United States Navy while on sea duty; warrant officers and chief petty officers shall receive two dollars per day, other petty officers, one dollar and seventy-five cents per day, and all other enlisted men, one dollar and fifty cents per day.

Pay on active duty.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 257.

An Act entitled "A further supplement to an act entitled 'An act fixing the compensation of certain public officers of the State,'" approved March sixteenth, one thousand eight hundred and seventy-six.

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

Salary of court crier in certain counties.

1. In each county of this State having a population exceeding one hundred and ten thousand inhabitants and under two hundred thousand inhabitants, the court crier shall receive and be paid in lien of all fees, an annual salary not to exceed the sum of twelve hundred

dollars, to be fixed by the board of chosen freeholders of said county, and such compensation shall be paid monthly to said crier by the county collector of such county upon the certificate of the county clerk.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 258.

An Act to incorporate the borough of Moonachie, in the county of Bergen.

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

Corporate name.

1. The inhabitants of that portion of the township of Lodi, in the county of Bergen, hereinafter set forth, are hereby constituted and declared by be a body corporate in fact and in law by the name of "the Borough of Moonachie," and shall be governed by the general laws of this State relating to boroughs.

2. The boundaries of said borough shall be as follows:

Bounraries defined.

Beginning at the point of intersection of the easterly line of the right of way of the New Jersey and New York Railroad Company with the southerly line of the borough of Hasbrouck Heights, which point is the northeasterly corner of the borough of Woodridge, and running thence (1) southerly along the easterly line of said New Jersey and New York Railroad Company's right of way and along the present line of the borough of Woodridge to the center line of Division avenue; thence (2) easterly still along the said line of the borough of Woodridge and through the center of Division avenue to the center of Berger or Bergen street; thence (3) southerly and still along the said line of the borough of Woodridge and through the center of Berger street, also known as Bergen street,

to the center of Anderson avenue; thence (4) easterly and still along the present line of the borough of Woodridge and through the center of Anderson avenue, projecting or producing the same, to the center of Berry's creek; thence (5) southerly still along the line of the borough of Woodridge through the center of Berry's creek, the several courses thereof, to the southeasterly corner of the said borough of Woodridge; said corner being also in the northerly line of the borough of Carlstadt; thence (6) easterly along the northerly line of the borough of Carlstadt to the southwesterly corner of the land belonging to Charles Foose; thence (7) northerly and still along the land of the said Charles Foose; thence (8) still along the line of the borough of Carlstadt and still along the lands of the said Charles Foose; thence (9) northerly and still along the line of the borough of Carlstadt and still along the line of the lands of the said Charles Foose; thence (10) still along the line of the borough of Carlstadt and still along the line of lands of the said Charles Foose to the northerly side of the Mousetown road, leading from Moonachie to Woodridge; thence (11) easterly along the northerly side of the said Mousetown road, projecting and producing the same to the center of Losing creek at a point where the northerly line of Carlstadt borough intersects the line of the borough of Little Ferry; thence (12) northerly and westerly through the center of the said Losing creek, and following the several courses and windings thereof, to a point where the center line of said Losing creek is intersected by the division line between the borough of Little Ferry and the township of Lodi; thence (13) northerly and westerly still along and following the said division line between the borough of Little Ferry and the township of Lodi, in its several courses, to a point where the said line intersects the easterly line of the lands now or formerly of one Riedel; thence (14) southerly along the lands of said Riedel and along the line of Little Ferry borough to a point which is the southeasterly corner of said lands now or formerly of said Riedel; thence (15) westerly and still along the lands of the

said Riedel and the line of Little Ferry borough, projecting and producing the same, to the easterly line of the borough of Hasbrouck Heights; thence (16) southerly along the easterly boundary of the borough of Hasbrouck Heights to the southeasterly corner of the said borough of Hasbrouck Heights; thence (17) westerly along the southerly line of the borough of Hasbrouck Heights to the northeasterly corner of the borough of Woodridge, which is the point of place of beginning;

Be and the same is hereby set off from the township of Lodi, and which portion so set off from the township of Lodi shall hereafter be called and known as the borough of Moonachie, in said county.

As to taxes.

3. All taxes now due and in arrears assessed upon the persons or property in that portion of the township of Lodi which is hereby created and formed into a new borough to be called the borough of Moonachie shall be collected by the collector of the township of Lodi for the benefit of said township of Lodi, and all proceedings for the enforcement thereof, by sale of land or otherwise, shall be taken by the said collector of the township of Lodi in the same manner and with the same effect as if this had not been passed; *provided, however,* that all past taxes collected by the collector of the township of Lodi shall be considered as assets, and as such shall be subject to any subsequent division or apportionment hereafter made in accordance with the statute in such case made and provided.

Proviso.

Referendum.

4. This act shall take effect immediately; *provided,* it shall not operate to effect the incorporation of the 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 of the said described territory voting thereon, at a special election to be held within said territory within thirty days from the approval of this act and within the hours of six A. M. and six P. M. of the day fixed for election, at a place within said territory, to be fixed by the clerk of the township of Lodi. The clerk of said township shall cause public notice of the time and place of holding said election to be given

Notice of election.

advertisements signed by himself and set up in at least ten public places within said described territory and published in one or more newspapers printed or circulating therein, at least ten days prior to such election; and said clerk 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 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 said act; if the word "against" is marked off or defaced upon the ballot it shall be counted as a vote in favor of the acceptance thereof; and in case neither the word "for" nor the word "against" be marked off or defaced upon the ballot it shall not be counted either as a vote for or against such acceptance. Such election shall be held at the time and place so appointed, and be conducted by the officers of the election district of said township of Lodi, except that no special form of ballot or envelope need be used. The officers holding such election shall make return to the township committee of said township of Lodi of the result thereof by a statement, in writing, under their hands, and the same shall be entered at length on the minutes of said township committee; and thereupon and upon such adoption, but not otherwise, this act shall in all respects be operative.

Ballots.

Election, how conducted.

Returns.

5. The register of voters of the voters within said described territory 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 in said described territory to make a new registry of voters for such special election, but only to revise and correct the register made for the last general election, and for that purpose the said board shall meet at such place within said described territory as shall be designated by the clerk of said township of Lodi at least one week preceding said election. Notice of the place so designated shall be given by the clerk by posting in at least five of the most public places in said described territory. Said meeting of the boards of

Register.

Revision of register.

registry and election 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 described territory at said special election, who shall appear in person before them and establish to the satisfaction of the 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 said described territory 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 election of Bergen county to be filed by said board, and one copy shall be retained for the use of the said board of election at such special election.

Result of election filed with county clerk.

6. Immediately after the statement of the result of such election shall be made to the township committee of said township of Lodi, a copy thereof, certified by its clerk, shall be forthwith filed in the office of the county clerk of said county of Bergen.

Approved April 11, 1910.

CHAPTER 259.

An Act to set apart a portion of the territory of the township of Waterford, in the county of Camden, and to create a new township to be called "the township of Berlin in the county of Camden."

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

Township of Berlin created.

1. All that portion of the territory of the township of Waterford in the county of Camden, situate, lying

and being north of a line described as follows: Beginning at a corner in the middle line of the road leading from Tansborough to Taunton where it intersects the boundary line between the townships of Winslow and Waterford; thence extending in a northeastwardly direction along the middle line of said road to a point where it intersects the boundary line between the counties of Burlington and Camden and there to end, shall be and the same is set off and detached from the said township of Waterford, in the county of Camden, and shall be and the same is hereby created a separate township to be called "The township of Berlin in the county of Camden."

Corporate name.

2. The inhabitants of said "The township of Berlin in the county of Camden," shall be and they are hereby constituted a body politic and corporate in law, and shall be styled and known by the name of "The township of Berlin in the county of Camden," and they shall be entitled to all the rights, powers, authority, privileges and advantages, and be subject to the same regulations, government and liabilities as other townships in the county of Camden are or may be entitled or subject to by the laws of this State.

Rights, powers, etc.

3. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 260.

An Act to validate bonds heretofore issued under the provisions of 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, for the purpose of paying for the elevation, widening and improvement of any road, pursuant to the provisions of 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," approved April sixth, one thousand nine hundred and eight.

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

Bonds issued for road improvements validated.

1. All bonds heretofore issued under the provisions of 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, for the purpose of paying for the elevation, widening and improvement of any road, pursuant to the provisions of 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," approved April sixth, one thousand nine hundred and eight, are hereby validated and ratified.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 261.

An Act to amend an act entitled "An act respecting the Court of Chancery (Revision of 1902)," 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 91 amended.

1. Section ninety-one of said act be and the same is hereby amended to read as follows:

Allowance for counsel fees.

91. In any cause, matter or proceeding in the Court of Chancery the Chancellor may make such allowances by way of counsel fee to the party or parties obtaining the order or decree as shall seem to him to be reasonable and proper, and shall direct which of the parties shall pay such allowances; or, where such allowances are ordered to be paid out of property or funds, shall specify and direct the property or funds liable therefor. The Chancellor may provide for the inclusion of such allowances in the taxable costs, or may provide for their collection in such other manner as is agreeable to the practice of the court. Such allowances shall be in lieu of any allowance for counsel fees now provided for by statute. In uncontested foreclosure causes, the allowance for counsel fees shall not exceed five per centum of the amount decreed for principal and interest, and shall be regulated by the Chancellor from time to time by a general rule; but in contested foreclosure causes, counsel fees may be allowed to any party as herein provided for in other causes, matters or proceedings in the Court of Chancery.

Fees in foreclosure causes.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 262.

An Act to annex a portion of the township of Orvil, in the County of Bergen, to the borough of Saddle River.

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

Part of Orvil township annexed to Saddle River.

1. All that portion of the township of Orvil, in the county of Bergen, described as follows:

Beginning at the intersection of the road leading from Saddle River to Pascack with the road leading from Paramus to Chestnut Ridge and running thence (1) easterly along the center of the said road leading from Saddle River to Pascack to the westerly boundary line of the borough of Woodcliff; thence (2) southerly and along the said westerly line of the borough of Woodcliff and continuing along the westerly line of the township of Hillsdale to the center line of the Werimus road; thence (3) westerly along the said center line of the Werimus road to the center line of the road leading from Paramus to Chestnut Ridge; thence (4) northerly along the center line of the said road from Paramus to Chestnut Ridge to the point or place of beginning.

Is hereby set off from the said township of Orvil and annexed to and made a part of the borough of Saddle River, in the county of Bergen.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 263.

A Further Supplement to an act entitled "An act relative to the Supreme and Circuit Courts," approved March twenty-third, one thousand nine hundred.

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

Salary of Circuit Court judges.

1. The several judges appointed by the Governor, by and with the advice and consent of the Senate, to hold, in the absence of a Justice of the Supreme Court, the Circuit Courts in the respective counties, shall each receive an annual salary of nine thousand dollars; said salaries shall be paid in equal monthly payments by the Treasurer of this State, on the warrant of the Comptroller, and shall be in full of all services to be rendered by said judges, respectively; said judges shall not engage in the practice of law in any of the courts of this State.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 264.

An Act to prevent the adulteration of and deception in the manufacture and sale of spirits of turpentine and linseed or flaxseed oil.

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

Purity of turpentine and flaxseed oils.

1. No person, firm or corporation shall manufacture or mix for sale, or offer or expose for sale, or have

in possession with intent to sell, or sell under the name of spirits of turpentine or turpentine any article which is not wholly the product of the distillation of turpentine gum or the scrape from pine trees and unmixed or unadulterated with any oil, benzine, or any other substance of any kind whatever, or under the name of raw linseed oil, any article which is not wholly the product of commercially pure linseed or flaxseed; nor shall any person, firm or corporation sell under the name of boiled linseed oil or boiled oil, any article unless the oil from which said article was made be wholly the product of commercially pure linseed or flaxseed, and unless the same has been heated to at least two hundred and twenty-five degrees Fahrenheit; *provided however,* that nothing contained in this section shall prohibit the manufacture, mixing for sale, offering or exposing for sale or sale of mixtures of spirits of turpentine, raw or boiled linseed oil with other substances, if every package in which such mixture is contained is plainly and legally marked in solid letters not less than two inches high, "Adulterated spirits of turpentine," "Adulterated linseed oil," or "Adulterated boiled oil," as the case may be, together with the true name and amount of adulterant or adulterants which are contained in such mixture; *and provided further,* that no person, firm or corporation shall sell any adulterated spirits of turpentine or raw or boiled linseed oil without informing the purchaser at the time of sale that the article is not pure spirits of turpentine, raw or boiled linseed oil, as the case may be, but is adulterated.

Proviso.

Proviso.

Penalties.

2. Any person, firm or corporation who violates any of the provisions of this act shall be liable to a penalty of fifty dollars for the first offense, and to a penalty of one hundred dollars for the second offense, and to a penalty of two hundred dollars for the third and each subsequent offense.

Enforced by State Board of health.

3. The State Board of Health shall enforce the provisions of this act; all inspectors of said board shall have free access, ingress and egress to all places where spirits of turpentine or raw or boiled linseed oil are

manufactured, mixed, stored, exposed for sale or sold; they shall also have power and authority to open any barrel, tank, can or other container, containing or suspected to contain any such turpentine or oil and take samples therefrom for analysis.

Penalties, how recoverable.

4. Any and all penalties prescribed by any of the provisions of this act shall be recovered in an action of debt by and in the name of the Board of Health of the State of New Jersey as plaintiff.

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 April 11, 1910.

CHAPTER 265.

An Act to amend an act entitled "An act concerning district courts (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 8 amended.

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

Salary of clerks in district courts.

8. The salaries of the clerks of said courts shall be fixed as follows: In cities having two hundred thousand inhabitants or over, an annual salary of two thousand dollars; in cities having between one hundred thousand and two hundred thousand inhabitants, an annual salary of seventeen hundred and fifty dollars; in cities having between sixty thousand and one hundred thousand inhabitants, an annual salary of fifteen hundred dollars; in cities having between twenty-five thousand inhabitants and sixty thousand inhabitants, an annual salary of twelve hundred and fifty dollars; in cities having between twenty-three thousand and

twenty-five thousand inhabitants, an annual salary of nine hundred dollars; in cities having between seventeen thousand and twenty-three thousand inhabitants, an annual salary of seven hundred and fifty dollars; and in such judicial districts as are now or may hereafter be established, an annual salary of eight hundred dollars in judicial districts having forty thousand inhabitants or over, and an annual salary of six hundred dollars in judicial districts having less than forty thousand inhabitants; which salaries of such clerks shall be in lieu of all fees whatsoever.

In judicial districts.

Section 10 amended.

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

Fees of constables and sergeant-at-arms.

10. For their services the several constables and sergeants-at-arms shall receive from the clerk of the court the fees hereinafter provided, and one dollar and fifty cents per day for every day's actual attendance upon the sessions of the court, to be paid monthly by the cities in which such courts are established, or by the county collector of any county in which any judicial district may be established, unless a sergeant-at-arms as hereinafter provided be appointed by the judge, when no per diem fees shall be paid as above to any constable of any such court having a sergeant-at-arms.

3. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 266.

An Act to annex a portion of the borough of Florham Park, in the county of Morris, to the borough of Chatham.

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

Part of Florham Park annexed to Chatham.

1. All that portion of the borough of Florham Park, in the county of Morris, beginning at a point in the

center of Brooklake road twelve hundred feet easterly from the center of Main street, said point being the northeast corner of the present borough of Chatham, New Jersey; thence along said Brooklake road north, forty-seven degrees fifteen minutes east, four hundred and thirty-three feet; thence still along said road north, thirty-nine degrees thirty minutes east, six hundred and nine feet to the line dividing the properties of J. Roper and B. F. Bruen; thence along the dividing line of said lands south, thirty-nine degrees fifteen minutes east, four hundred and fifty feet to the lands of the F. A. Seamen estate; thence north, sixty-eight degrees fifteen minutes east, two thousand six hundred and ninety-six feet to the center of the Black creek at the point where the said creek is intersected by the northeasterly line of the lands of the F. A. Seamen estate; thence southeasterly to a point on the Passaic river one thousand feet northeasterly from the corner of property of John P. Munn and J. H. Coleman at the Passaic river; thence up the center of the Passaic river the several courses thereof to the present easterly corner of the borough of Chatham, New Jersey; thence north, fifty-three degrees forty-five minutes west, sixty-five hundred and ninety feet along the present borough line to the point or place of beginning, is hereby set off from the said borough of Florham Park and annexed to and made a part of the borough of Chatham.

2. This act shall take effect immediately.

Approved April, 11, 1910

CHAPTER 267.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and ten," 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:*

Supplemental appropriations.

1. The following sums, or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the several purposes herein specified, and for supplying deficiencies in former appropriations for the fiscal year ending October thirty-first, one thousand nine hundred and ten:

1.

EXECUTIVE DEPARTMENT.

Executive department.

For additional allowance for compensation for assistants in the executive department, two hundred and fifty dollars.

2.

OFFICE OF THE TREASURER.

Treasurer.

For additional allowance for compensation for clerical services in the office of the Treasurer, eight hundred dollars;

For additional allowance for blanks and stationery for use in the office of the Treasurer, one hundred and fifty dollars;

For additional allowance for postage, expressage and other incidental expenses for the office of the Treasurer, two hundred dollars.

3.

STATE BOARD OF ASSESSORS.

Assessors. For additional allowance for postage, expressage and other incidental expenses for the State Board of Assessors, three hundred dollars.

4.

BUREAU OF STATISTICS.

Statistics. For additional allowance for the current expenses of the Bureau of Statistics, one thousand dollars.

5.

OFFICE OF THE COURT IN CHANCERY.

Clerk in Chancery. For additional allowance for compensation for clerical service in the office of the Clerk in Chancery, four thousand one hundred and sixty dollars;

For additional allowance for blanks and stationery for use in the office of the Clerk in Chancery, three hundred and fifty dollars;

For additional allowance for postage, expressage and other incidental expenses for the office of the Clerk in Chancery, nine hundred dollars.

6.

PENSIONS.

Pensions. For additional allowance for amount required to pay pensions, pursuant to various acts relative thereto, irrespective of any provision 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, one thousand five hundred and seventy-two dollars and forty-eight cents;

For allowance to Randolph F. Disbrow, a pensioner of this State, as commutation for two hands lost at Yorktown, Virginia, October nineteenth, one thousand eight hundred and eighty-one, one hundred dollars.

7.

COUNTY LUNATIC ASYLUMS.

County asylums.

For additional allowance for support of county patients in the Essex county lunatic asylum, eight thousand two hundred and fifty dollars;

For additional allowance for support of county patients in the Hudson county lunatic asylum, seventeen thousand eight hundred and fifty dollars;

For additional allowance for support of county patients in the Passaic county lunatic asylum, one thousand dollars.

8.

COLLATERAL INHERITANCE TAX.

Collection of inheritance tax.

For surrogates' fees, appraisers' compensation and expenses, legal and other disbursements, and for the purpose of carrying out the provisions of the collateral inheritance laws, twelve thousand dollars; also any unexpended amount of the appropriations under items fifty-four and one hundred and twelve of chapter two hundred and seventy-two, laws of one thousand nine hundred and nine (annual appropriation act, one thousand nine hundred and nine), shall be applicable for the purposes aforesaid in respect of any of the laws relating to collateral inheritance tax;

Refunding inheritance taxes.

For the purpose of refunding inheritance taxes paid on stocks of New Jersey corporations by non-resident decedents, which stocks have been declared by the Court of Errors and Appeals to be not taxable under the inheritance law of one thousand eight hundred and ninety-four; *provided,* that application for repayment

Proviso.

of such taxes shall be made to the State Comptroller within two years from the date of payment of same, five thousand dollars;

To the executors of the estate of Cortlandt Parker, deceased, pursuant to chapter two hundred and ninety-one of the laws of one thousand nine hundred and eight, for the amount of collateral inheritance tax and interest paid, to wit, six hundred thirty-five dollars and twenty-two cents; *provided*, the devise or bequest under the will of said Cortlandt Parker does not revert to heirs-at-law of the estate of Eaton Stone liable to a tax under the collateral inheritance tax laws of this State; To Parker estate. Proviso.

To the Comptroller of the Treasury for the purpose of repaying collateral inheritance taxes adjudged by the Court of Errors and Appeals to have been illegally assessed and collected, fifty thousand dollars. Repayment inheritance taxes.

9.

REFUNDING TAXES ON MISCELLANEOUS CORPORATIONS.

For additional allowance for taxes improperly levied upon corporations and to be refunded, pursuant to law, three hundred dollars; Refunding taxes on corporations improperly imposed.

To the Montgomery Light and Water Power Company, for the purpose of refunding duplicate payment of tax levied against said company for the year one thousand nine hundred and nine, said company having twice paid the State franchise tax, on July first and July sixteenth, one thousand nine hundred and nine, two thousand dollars;

To the Special Products Company, for the purpose of refunding the tax and interest erroneously levied for the year one thousand nine hundred and seven, as corrected and adjusted by the State Board of Assessors under a rule of the Supreme Court entered June second, one thousand nine hundred and nine, one thousand seven hundred and fifty-six dollars and five cents.

10.

COURT EXPENSES.

Judges of common pleas.

For additional allowance for compensation of judges of the Court of Common Pleas, pursuant to section forty-nine, chapter one hundred and forty-nine of the laws of one thousand nine hundred, one thousand dollars.

11.

STENOGRAPHIC REPORTERS.

Stenographers.

For additional allowance 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 eighty-one of the laws of one thousand nine hundred and one, five hundred ninety-nine dollars and sixty-one cents.

12.

OYSTER AND CLAM COMMISSIONER, DISTRICT OF SHARK RIVER, IN THE COUNTY OF MONMOUTH.

Shark river oyster commissioner.

To A. Frank Bennett, Jr., for services as oyster and clam commissioner of the district of Shark river, in the county of Monmouth, pursuant to chapter fourteen, laws of one thousand nine hundred and five, one hundred fourteen dollars and thirty-seven cents.

13.

CONSTITUTIONAL AMENDMENTS.

Special election on amendments to constitution.

For additional allowance for payments to newspapers for publishing the proposed constitutional amendments of the session of one thousand nine hundred and seven, forty-five dollars;

For additional allowance for advertising and expenses of the special election to vote upon the proposed

constitutional amendments of the session of one thousand nine hundred and eight, seven thousand three hundred thirty dollars and ninety-three cents.

14.

STATE GAME PROTECTION FUND.

Transfer of funds.

For the purpose of transferring from the State Fund the balance incident to the State Game Protection Fund, October thirty-first, one thousand nine hundred and eight, ninety dollars, and the balance October thirty-first, one thousand nine hundred and nine, three hundred fifty-three dollars and fifty-six cents, in all the sum of four hundred forty-three dollars and fifty-six cents.

15.

FISH BASKET FINES.

Fish basket balance.

For the purpose of transferring from the State fund the balance incident to fish basket fines, October thirty-first, one thousand nine hundred and nine, the sum of twenty dollars.

16.

OFFICE OF THE COMPTROLLER.

Comptroller.

For additional allowance for blanks and stationery for use in the office of the Comptroller, three hundred dollars;

For additional allowance for postage, expressage and other incidental expenses for the Comptroller's office, two hundred dollars.

17.

BOARD OF EQUALIZATION OF TAXES.

Board of equalization.

For additional allowance for blanks and stationery for use of the Board of Equalization of Taxes, three hundred dollars.

18.

STATE LIBRARY.

Library.

For additional allowance for blanks, stationery, postage, expressage and other incidental expenses for the State Library, one hundred and seventy-five dollars.

19.

STATE BOARD OF AGRICULTURE.

Board of agriculture.

For additional allowance for the State Board of Agriculture, nine hundred and thirty-five dollars;

Prevention of insects.

For additional allowance for the State Board of Agriculture, for the purpose of carrying out the provisions of an act to prevent the introduction into and spread of injurious insects in New Jersey, to provide a method for compelling their destruction, to create the office of State Entomologist, to authorize inspection of nurseries and to provide for certificates of inspection, one thousand dollars.

20.

STATE HOSPITAL AT TRENTON.

Trenton asylum.

For additional allowance for patients, being the amount earned in excess of the amount appropriated therefor for the fiscal year ending October thirty-first, one thousand nine hundred and eight, six thousand one hundred and eighteen dollars and twenty-eight cents; and for the fiscal year ending October thirty-first, one thousand nine hundred and nine, three hundred ninety-nine dollars and fourteen cents, making a total of six thousand five hundred and seventeen dollars and forty-two cents;

For coal trestle, three thousand dollars;

For renewal of plumbing and tiling at annex, seventeen thousand five hundred dollars;

For renewal of plumbing at east and west kitchens, main building, two thousand dollars;

For remodeling wards, two thousand dollars.

21.

NEW JERSEY HOME FOR DISABLED SOLDIERS, SAILORS, MARINES AND THEIR WIVES AND FOR THEIR WIDOWS, AT VINELAND.

Soldiers' home at Vineland.

For the erection of a fire-escape, two thousand eight hundred dollars;

For repairing and painting the buildings and cottage, two thousand five hundred dollars;

For the purchase of new furniture, eight hundred dollars;

For renewal of plumbing fixtures, five hundred dollars;

For the purchase of a pair of horses, four hundred dollars;

For enlarging the present cemetery, two hundred and seventy-six dollars;

For the erection of a new flag pole, one hundred and fifty dollars;

For fire insurance premiums, seventy dollars.

22.

BATTLE MONUMENT AT SALEM CHURCH, VA.

Monument at Salem Church.

For the erection and dedication of a monument on the battlefield of Salem Church, Va., pursuant to chapter one hundred and ten, laws of one thousand nine hundred and eight, one thousand nine hundred and thirty dollars; being the balance of the appropriation of six thousand five hundred dollars, which lapsed into the State Treasury at the close of the fiscal year ending October thirty-first, one thousand nine hundred and nine.

23.

OFFICE OF THE CLERK OF THE SUPREME COURT.

Supreme Court clerk.

For additional allowance for compensation for clerical service in the office of the Clerk of the Supreme Court, four hundred dollars;

For additional allowance for blanks and stationery for use in the office of the Clerk of the Supreme Court, three hundred dollars.

24.

STATE HOME FOR BOYS.

Jamesburg school.

For repair to the buildings and grounds, six thousand dollars;

For equipment of manual training schools, two thousand dollars;

For a water supply, seven hundred dollars.

25.

OFFICE OF THE SECRETARY OF STATE.

Secretary of State.

For additional allowance for blanks and stationery for use in the office of the Secretary of State, one thousand dollars;

For additional allowance for postage, expressage and other incidental expenses for the office of Secretary of State, one thousand dollars;

For purchase of corporation laws at a rate not to exceed fifty cents per volume, one thousand two hundred and fifty dollars;

For completing the steel furnishings for the corporation vault, one thousand eight hundred dollars;

For preserving old records by the emery process, two thousand five hundred dollars;

For preparing and printing new indices to corporations, six thousand dollars.

26.

SECRETARY OF STATE, DEPARTMENT OF MOTOR VEHICLE REGULATION AND REGISTRATION.

Motor vehicle department.

For additional allowance for compensation of inspectors, one thousand seven hundred and fifty dollars;

For additional allowance for postage, expressage and other incidental expenses, five hundred dollars;

For additional allowance for blanks and stationery, one thousand dollars;

For additional allowance for the purchase and packing of identification marks and dies for use in connection with the same, one thousand five hundred dollars; 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 two hundred and thirty-five, laws of one thousand nine hundred and nine.

27.

COURT OF PARDONS.

Pardons.

For additional allowance for compensation of subordinate officers and incidental expenses, two hundred and fifty dollars.

28.

ATTORNEY-GENERAL'S DEPARTMENT.

Attorney-General.

For additional allowance for compensation and expenses of assistants employed by the Attorney-General, one thousand three hundred dollars;

For the purpose of defraying incidental expenses incurred in the Tide Water Basin case, fifty dollars;

For the employment of special counsel to assist in defending the constitutionality of the collateral inheritance tax laws, one thousand two hundred dollars;

To Sturtevant & Mason, for professional services in a patent case to prevent the sanatorium at Glen Gardiner from using what is known as the "Cameron Septic Tank," one hundred seventy dollars and fifty cents.

29.

STATE BOARD OF HEALTH.

State Board of Health.

For additional allowance for blanks and stationery for use in the office of the State Board of Health, two thousand dollars;

For additional allowance for maintenance of the bacteriological laboratory, two hundred dollars;

For additional allowance for the purpose of carrying into effect the provisions of "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof," passed at the legislative session of one thousand nine hundred and seven, and "An act to prevent deception in the sale of oleomargarine, butterine or any imitation of dairy products, and to preserve the public health," pursuant to chapter eighty-four of the laws of one thousand eight hundred and eighty-six, one thousand one hundred and seventy dollars;

For additional allowance for the purpose of carrying into effect the provisions of chapter seventy-two, laws of one thousand nine hundred, and the amendments and supplements thereto, four thousand three hundred and forty dollars;

For expert testimony and other expenses in connection with suits of the State Board of Health in enforcing the provisions of chapter seventy-two, laws of one thousand nine hundred, and the supplements and amendments thereto, one thousand five hundred dollars.

30.

STATE PRISON.

State prison.

For additional allowance for maintenance of convicts, ten thousand dollars;

For reinforcing with concrete the cellars and vaults, for the storage of coal, four thousand dollars;

For laying new pipes for proper supply of water for prison purposes, two thousand five hundred dollars;

For additional power for operating the prison shops, three thousand dollars;

For alterations to provide increased accommodations in female wing, ten thousand dollars.

31.

HOME FOR THE CARE AND TRAINING OF FEEBLE-MINDED WOMEN AT VINELAND.

Women's home at Vineland.

For purchase of beds and bedding, one thousand dollars;

For purchase of adjoining rectangular tract of land and buildings thereon, six thousand dollars;

For the purpose of closing up old stairways and constructing new stairways and building closets and rooms, three thousand dollars;

For completing the electric lighting system, one thousand dollars;

For constructing shack for tubercular patients, two thousand dollars;

For plaster repairs to ceilings and walls in general dining room and corridors, five hundred dollars;

For purchase of a horse, two hundred and fifty dollars;

For concrete walks, six hundred dollars;

For new awnings, five hundred dollars.

32.

BLIND AND FEEBLE-MINDED.

Feeble-minded Women.

For additional allowance for maintenance, support and instruction of feeble-minded women, five thousand dollars.

33.

SANATORIUM FOR TUBERCULOUS DISEASES.

Glen Gardner sanatorium.

For purchase of furniture, five hundred dollars;

For construction of a cooling plant, three thousand dollars;

For constructing shacks, ten thousand dollars;

For purchase of furniture for shacks, two thousand dollars;

For constructing road to railroad station, twenty thousand dollars;

For a water system, seven thousand five hundred dollars.

34.

STATE HOUSE COMMISSION.

State House.

For additional allowance for the State House Commission, for the care and safe-keeping of the State Capitol, the property therein and adjacent public grounds, and for expenses to be incurred in carrying out the provisions of chapter three hundred and thirty-nine of the laws of one thousand eight hundred and ninety-four, fifteen thousand dollars;

To the State House Commission for the purpose of acquiring by purchase or by condemnation in any lawful manner and in the name of the State, lands in the city of Trenton with the buildings thereon erected, lying east of Delaware street and between West State street and the Delaware river, and for any necessary alterations or furnishing of same or for the destruction or removal thereof, as provided in chapter one hundred and thirty-seven of the laws of one thousand nine hundred and two, thirty-five thousand dollars.

35.

SUPREME COURT.

Supreme Court.

For additional allowance for the Chief Justice and Associate Justice of the Supreme Court, for salaries, three hundred eighty-seven dollars and ten cents;

For additional allowance for blanks and stationery for use of the Chief Justice and Associate Justices of the Supreme Court, two hundred dollars;

For incidental expenses, two hundred dollars.

36.

COURT OF CHANCERY.

Court of Chancery.

For additional allowance for compensation of sergeants-at-arms, one hundred eighty-seven dollars and fifty cents;

For traveling expenses incurred by sergeants-at-arms, one hundred dollars;

For additional allowance for stationery for the Court of Chancery, seven hundred and fifty dollars;

For the purchase of a safe, one thousand one hundred dollars.

37.

NATIONAL GUARD.

National guard.

For additional allowance for one signal and telegraph corps, one thousand dollars;

For maintaining, heating and lighting company armory at Somerville, one thousand five hundred dollars;

For additional allowance for insuring regimental armories, buildings at the State Camp grounds at Sea Girt, the State arsenal, and all public military stores, one thousand dollars;

For additional allowances for uniforms and equipments for officers of regiments, troops, batteries, companies, signal corps, and the naval reserve, as provided in section one hundred and twenty-seven of "An act concerning the militia of the State," approved May sixteenth, one thousand nine hundred and six, four hundred and fifty dollars; said sum to apply to claims for the fiscal years ending October thirty-first, one thousand nine hundred and eight and nine, respectively;

For amount required for new roof on old drill shed, skylights and gutter work, rear gallery and vent stacks

of the First Troop armory, Newark, one thousand two hundred and five dollars;

For maintenance of the Sea Girt cottage during July and August, while occupied by the Governor during the encampment and rifle tournament, a sum not to exceed one thousand five hundred dollars, to be paid upon verification of the Quartermaster-General;

The last account under item number twenty-two, National Guard, of the act to which this act is a supplement, is hereby amended to read "pursuant to chapter two hundred and forty, laws of one thousand nine hundred and eight."

38.

ADJUTANT-GENERAL'S DEPARTMENT.

Adjutant-General.

For additional allowance for compensation for clerical service in the Adjutant-General's office, five hundred and seven dollars;

For additional allowance for blanks and stationery for use in the Adjutant-General's office, three hundred dollars;

For additional allowance for printing, binding and distributing the annual report of the proceedings of the department of New Jersey, Grand Army of the Republic, one hundred dollars;

For allowance for boxes, receipt card and halftone plates incident to the publication and distribution of the annual proceedings, Department of New Jersey, Grand Army of the Republic, for the year one thousand and nine, twenty-seven dollars and sixty-two cents;

For clerical services and expenses incident to the compilation of the roster of officers and enlisted men of New Jersey in the Revolutionary and other wars, at Trenton, New Jersey, and elsewhere, one thousand five hundred dollars;

For preserving the muster-in and muster-out rolls, war of the rebellion, two thousand five hundred dollars.

39.

QUARTERMASTER-GENERAL'S DEPARTMENT.

Quartermaster-General.

For additional allowance for clerks, for salaries, seventy-five dollars;

For additional allowance for carpenter, machinist and to persons having in charge accoutrements, et cetera, cleaning arms, et cetera, teamster and laborer, for salaries, eighty-seven dollars and fifty cents.

40.

AGRICULTURAL EXPERIMENT STATION.

Experiment station.

For additional allowance for salaries and expenses of the Agricultural Experiment Station, two thousand five hundred dollars;

For additional allowance for printing bulletins of the Agricultural Experiment Station, five hundred dollars;

For the purpose of carrying out the provisions of "An act to provide for locating and abolishing mosquito-breeding salt-marshes areas within the State, for assistance in dealing with certain inland breeding places, and appropriating money to carry its provisions into effect," approved April twentieth, one thousand nine hundred and six, ten thousand dollars;

For painting the Experiment Station building and enlarging the laboratories, one thousand five hundred dollars;

For scientific investigation of oyster propagation, pursuant to chapter one hundred and eighty-seven, laws of one thousand nine hundred and seven, three hundred dollars.

41.

STATE HOSPITAL AT MORRIS PLAINS.

Morris Plains asylum.

For additional allowance for salaries of officers, three hundred and seventy-five dollars, said sum to apply only to the salaries of the six assistant physicians;

For a water supply, ten thousand dollars;

For new kitchen building and complete equipment, thirty thousand dollars;

For repairing and painting buildings, fifteen thousand dollars;

For shack for patients suffering from tuberculosis, three thousand five hundred dollars;

For the relief of Gustav Hammargren, pursuant to chapter two hundred and thirty-two, laws of one thousand nine hundred and nine, two thousand five hundred dollars.

42.

STATE HOME FOR GIRLS.

Home for girls.

For additional allowance for support and necessary repairs to the home, one thousand five hundred dollars;

For fire insurance premiums, three hundred and forty-one dollars;

For hospital fund, three hundred dollars;

For equipment for domestic science school, three hundred dollars;

For additional school equipment, three hundred dollars;

For new floors in old building, two hundred dollars;

For additional allowance for traveling expenses of probation officer, one hundred sixty-nine dollars and seventy-eight cents;

The last account under item number forty-one of the act to which this act is a supplement is hereby amended to read, "for furnishings for new building."

43.

PRINTING.

Expert Printer.

For additional allowance for compensation of an expert printer for services in preparation of specifications for bids, supervision of work, examination of

bills, and such other duties as may by law be imposed upon him, one hundred and fifty dollars.

44.

PUBLIC ROADS.

Roads.

For additional allowance for public roads, one hundred thousand dollars;

For additional allowance for expenses for clerk hire, consulting engineer, fees, stationery and actual traveling expenses, one thousand dollars;

For the purchase of an automobile for the State Supervisor of Public Roads, two thousand five hundred dollars.

45.

PRACTICE TEACHING.

Practice teaching.

For additional allowance for extra compensation to the teachers in the various school districts in the State, for training the pupils in the State Normal School at Montclair in the art of teaching, one thousand five hundred dollars.

46.

RIPARIAN COMMISSION.

Riparian commission.

For purchase of map cases, filing cases, typewriting machine and necessary office fixtures and supplies, six hundred dollars.

47.

MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

Bordentown school.

For furnishing the infirmary, one thousand dollars;

For water supply, two thousand five hundred dollars; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

48.

STATE NORMAL SCHOOL.

State schools at Trenton.

For re-stuccoing and painting the Normal and Model School building, six thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine;

For additional allowance for support of the State Normal School at Trenton, four thousand four hundred sixty-one dollars and fifty-nine cents, which sum lapsed into the State Treasury at the close of the fiscal year ending October thirty-first, one thousand nine hundred and nine.

49.

INDUSTRIAL EDUCATION.

Manual training.

For additional allowance for payments to schools established for industrial education, pursuant to chapter twenty of the laws of one thousand nine hundred and six, two thousand dollars;

For additional allowance for payments to schools for manual training, forty-five thousand dollars.

50.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

Department of schools.

For additional allowance for salary of assistant superintendent and for clerical services in the office of State Superintendent of Public Instruction, two hundred and fifty dollars;

For additional allowance for necessary incidental expenses incurred by the State Superintendent of Public Instruction in the performance of his official duties, five hundred dollars;

For twelve thousand copies of the school law, one thousand five hundred dollars;

For three thousand copies of a list of books for school libraries, two hundred dollars; payments under this

account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

51.

SCHOOL FUND EXPENSES.

School fund.

For additional allowance 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, one thousand dollars.

52.

STATE BOARD OF EXAMINERS.

Teachers' examinations.

For additional allowance for expenses incurred by the State Board of Examiners and compensation for the person appointed by the State Board of Education, five hundred dollars.

53.

STATE OYSTER COMMISSION.

Oyster commission.

For additional allowance for expenses of surveying and mapping lands to be leased for oyster culture under the tidal waters of the Delaware river, Delaware bay, Maurice river cove and Raritan bay, in the State of New Jersey, seven hundred dollars.

54.

STATE BOARD OF CHILDREN'S GUARDIANS.

Children's guardians.

For additional allowance for expenses, one thousand five hundred and thirty-nine dollars and thirty-two cents.

New Jersey State Library

55.

PUBLIC LIBRARY COMMISSION.

State library.

For additional allowance for the purpose of carrying into effect the provisions of chapter sixty-two, laws of one thousand nine hundred; for clerical assistance, necessary traveling and other expenses incurred by the commission, and for carrying into effect the provisions of chapter one hundred and seventy-five, laws of one thousand eight hundred and ninety-eight, and its supplements, providing for the establishing and maintenance of a system of traveling libraries, and for the purpose of carrying into effect the provisions of chapter one hundred and fifteen, laws of one thousand nine hundred and six, two thousand dollars.

56.

TEACHERS' RETIREMENT FUND.

Retirement fund.

For additional allowance for payment of expenses incurred in connection with the administration of the teachers' retirement fund, pursuant to chapter one hundred and thirty-nine, laws of one thousand nine hundred and seven, two thousand dollars.

57.

NEW JERSEY REFORMATORY.

Rahway reformatory.

For additional allowance for rent of house for superintendent, one hundred and ten dollars;

For materials for the construction of a strong wall or inclosure, ten thousand dollars;

For materials for buildings for trade schools, ten thousand dollars;

For independent source of water supply, wells, pumps and necessary equipment, eighteen thousand dollars;

For premiums on fire insurance policies, seven thousand dollars;

For salary of parole officer, six hundred and ninety dollars.

58.

BURIAL GROUNDS.

For additional allowance for the care and maintenance of burial grounds purchased by the State, pursuant to chapter one hundred and seventy-one, laws of one thousand eight hundred and ninety-eight, eighty dollars. Shipwrecked bodies.

59.

STATE NORMAL SCHOOL AT MONTCLAIR.

For the purchase of rugs, four hundred and thirty-six dollars and twenty-eight cents, payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine. Montclair school.

60.

SUMMER COURSES, AGRICULTURAL COLLEGE.

For additional allowance for the purpose of carrying out the provisions of chapter fifty-five, laws of one thousand nine hundred and eight, two thousand dollars. Summer school.

61.

BOARD OF APPRAISERS OF RAILROADS AND CANALS.

To cover expenses of small items incurred by the Board of Appraisers of Railroads and Canals, and not heretofore paid, when said items shall be submitted to and approved by the Governor, three hundred and forty-one dollars and seventy-nine cents; Board of appraisers.

To William H. Burn, to cover rent of room used by the Board of Appraisers of Railroads and Canals, from November first, one thousand nine hundred and nine, to May first, one thousand nine hundred and ten, in

which the furniture and equipment of said board has been during that period, six hundred dollars.

62.

BOARD OF FISH AND GAME COMMISSIONERS.

Fish and game.

For additional allowance for printing game laws, license blanks, et cetera, seven hundred sixty-eight dollars and twenty cents.

63.

VILLAGE FOR EPILEPTICS.

Epileptic village.

For erecting a horse barn, five thousand dollars;

For farm implements and machinery, three thousand dollars;

For fire insurance premiums, two thousand five hundred dollars;

For alterations and improvements to Spring Run Cottage, two thousand dollars;

To Henry M. Herbert, for surveys, plans, specifications and inspections of water supply and dam, nine hundred and forty-four dollars.

64.

INSPECTION OF POWER VESSELS.

Power vessels.

For additional allowance for expenses of chief inspector, one hundred and twenty-three dollars and ninety-one cents.

For additional allowance for salary and expenses of assistant inspector, two hundred and six dollars and ninety-five cents.

65.

TENEMENT HOUSE SUPERVISION.

Tenement house supervision.

For additional allowance for printing and stationery, two hundred dollars;

For additional allowance for twenty-two inspectors, at the rate of one thousand two hundred dollars per annum each, two thousand two hundred dollars;

For additional allowance for incidentals, postage and expressage, one hundred dollars;

For additional allowance for traveling expenses of executive officer and plan examiners, one hundred dollars.

66.

DEPARTMENT OF CHARITIES AND CORRECTIONS.

Assistant.

For salary of person appointed to assist the Commissioner, pursuant to chapter thirty-five, laws of one thousand nine hundred and ten, six hundred dollars.

67.

FOREST PARK RESERVATION COMMISSION.

Forest reserve.

For additional allowance for the use of the State Board of Forest Park Reservation Commissioners, pursuant to chapter forty-seven, laws of one thousand nine hundred and five, including the maintenance of State forest lands, five hundred dollars;

For additional allowance for the use of the State Board of Forest Park Reservation Commissioners, for the purpose of carrying out the provisions of chapter one hundred and twenty-three, laws of one thousand nine hundred and six, two thousand five hundred dollars.

68.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Public utility commission.

For salaries and expenses of the Board of Public Utility Commissioners, pursuant to chapter forty-one, laws of one thousand nine hundred and ten, sixteen thousand five hundred dollars.

69.

DEPARTMENT OF INLAND WATERWAYS.

Inland waterways.

For additional allowance for the purpose of carrying out the provisions of chapter eighty-three, laws of one thousand nine hundred and eight, twenty-five thousand dollars.

70.

DEPARTMENT OF ACCOUNTS.

Auditor.

For additional allowance for traveling expenses of auditor and three assistants, and incidental office expenses, one hundred dollars.

71.

COMMISSIONERS OF THE PALISADES INTERSTATE PARK.

Palisades park.

For expenses incurred by the Commissioners of the Palisades Interstate Park, two thousand dollars, said expenses to be approved by the Governor.

72.

COMMISSION TO PROMOTE UNIFORM LEGISLATION.

Uniform legislation.

To cover expenses of commissioners to promote uniform legislation in the United States, appointed under chapter one hundred and fifty-four of the laws of one thousand nine hundred and nine, for their attendance upon the meeting in Detroit in August, one thousand nine hundred and nine, and at the meeting to be held in August, one thousand nine hundred and ten, all bills to be approved by the Governor, four hundred dollars.

73.

Protection of riparian lands along Kill-von-Kull.

For expenses heretofore incurred in connection with policing the Kill-von-Kull between October the second

and December thirtieth, inclusive, one thousand nine hundred and nine, to protect the rights of the State against the Hudson County Water Company, and the laying of pipes on the riparian lands of the State under the Kill-von-Kull, and any other expenses incident to such policing which shall be approved by the Governor, a sum not to exceed one thousand dollars.

74.

COMMISSION ON INDUSTRIAL EDUCATION.

Expenses of commission.

For expenses incurred by the commission appointed pursuant to Joint Resolution number eleven, approved April fourteenth, one thousand nine hundred and eight, to inquire into the subject of industrial education, and report thereon, one thousand seventy-eight dollars and sixty-five cents.

75.

INVESTIGATION OF LIFE INSURANCE.

Typewriter.

To the Stoll Blank Book and Stationery Company, for use of typewriter for the committee of the Senate to investigate the whole subject of life insurance, appointed under Joint Resolution passed April twelfth, one thousand nine hundred and six, twenty-nine dollars.

76.

NATIONAL ENCAMPMENT OF THE GRAND ARMY OF THE REPUBLIC AT ATLANTIC CITY.

G. A. R.

For the purpose of carrying out the provisions of chapter seventy-seven of the laws of one thousand nine hundred and nine, twenty-five thousand dollars.

77.

BUREAU OF SHELL FISHERIES.

Attendance at Mobile convention.

For the purpose of defraying expenses of persons appointed to represent the State of New Jersey at the

convention of the National Association of Shell Fish Commissioners, to be held at Mobile, Alabama, April nineteenth to twenty-first, inclusive, one thousand nine hundred and ten, three hundred dollars.

78.

STATE WATER-SUPPLY COMMISSION.

Water-supply commission.

For salary of commissioners, from November first, one thousand nine hundred and nine, to November first, one thousand nine hundred and ten, twelve thousand five hundred dollars;

For salary of consulting engineer, from April first to November first, one thousand nine hundred and nine, one thousand seven hundred and fifty dollars;

For engineers, inspectors, field work, et cetera, one thousand five hundred dollars;

For salary of stenographer, blanks, stationery, postage and other incidental expenses of the Commission, one thousand dollars;

For new or additional water supplies, one thousand dollars.

79.

HOUSE COMMITTEE TO INVESTIGATE STATE EXPENDITURES.

Stenographer.

To Edward O'Byrne, for services as stenographer to the Committee to Investigate State Expenditures, five hundred dollars; *provided,* said sum is accepted in full for all claims for services rendered said committee.

Proviso.

80.

SENATE COMMITTEE TO INVESTIGATE THE PUBLIC SCHOOL SYSTEM.

Investigation of school system.

For expenses incurred by the Senate Committee to Investigate the Public School System, appointed pur-

suant to Senate resolution passed on April fifteenth, one thousand nine hundred and nine, two hundred seven dollars and forty-five cents.

81.

NEW JERSEY INTERSTATE BRIDGE COMMISSION.

Hudson river bridge.

For expenses incurred by the commissioners appointed pursuant to Joint Resolution number three, approved April second, one thousand nine hundred and eight, three thousand dollars.

82.

COMMITTEE TO INVESTIGATE INTO THE CONDITION AND MANAGEMENT OF THE DELAWARE AND RARITAN CANAL.

Canal investigation.

For expenses incurred by the Committee appointed to investigate into the condition and management of the Delaware and Raritan canal, pursuant to Joint Resolution No. 9, approved April fourteenth, one thousand nine hundred and eight, three thousand five hundred dollars.

83.

EXCISE COMMISSION.

Salary of secretary.

To John P. Dengler, for salary as secretary of the Excise Commission, six hundred dollars.

84.

WASHINGTON'S CROSSING COMMISSION.

Expenses of commission.

For expenses incurred by the Washington's Crossing Commission, in carrying out the provisions of

chapter thirty-three, laws of one thousand nine hundred and ten, two thousand dollars.

85.

NEW JERSEY CONFERENCE OF CHARITIES AND CORRECTIONS.

Conference report.

For printing and distributing the proceedings of the annual conference of the New Jersey Conference of Charities and Corrections, pursuant to Joint Resolution No. 6, approved April sixteenth, one thousand nine hundred and nine, five hundred dollars.

86.

LEGISLATURE.

Incidental expenses.

For additional allowance for incidental and contingent expenses of the present session of the Legislature, twenty-six thousand three hundred dollars; all bills to be approved by the Committee on Incidental Expenses and filed with the Comptroller before final adjournment.

87.

Re-valuation of railroads and canals.

For expenses of re-valuation of all railroad and canal property in the State, fifty thousand dollars, provided an act authorizing same is passed by the present Legislature.

88.

Suit relative to Passaic Valley trunk sewer.

For compensation and allowance for experts' fees and expenses in the matter of the suit by the State of New York against the State of New Jersey on the intervention of the United States in the matter of the Passaic Valley trunk sewer, eleven thousand one hundred dollars and twenty-two cents; all bills to be approved by the Governor.

89.

For expenses incurred by commission appointed to report on the necessity or advisability of revising or codifying the poor laws, pursuant to Joint Resolution number three, approved April third, one thousand nine hundred and five, three hundred and fifty dollars. Revision of laws.

2. Before any building or buildings shall be commenced or work undertaken for the cost of which money is appropriated by this act or by the appropriation act for the fiscal year ending October thirty-first, one thousand nine hundred and eleven, the plans, specifications and contracts necessary for the entire completion thereof shall, and each of them shall, be submitted to and approved by the Governor, and such contracts shall not be approved or entered into if the total expenditure under all of 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 building, 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. Approval of plans and contracts by Governor. If appropriation insufficient, to lapse.

3. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated in this act and in the act to which this act is a supplement, and except such sums which are by law devoted to specific purposes, namely, State school tax, United States appropriation to Agricultural College, United States appropriation for disabled soldiers, United States appropriation for disabled soldiers, sailors, marines and their wives, Agricultural College fund and taxes for the use of taxing districts in this State, moneys received pursuant to the laws relating to motor vehicles, 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, and loans to "State School Fund," Moneys used as specified.

Section, how construed.

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, nor of any payments into the State Treasury by State institutions and commissions pursuant to an act entitled "An act regulating the receipt and disbursement of State moneys in certain cases," approved October thirty-first, nineteen hundred and seven (Chapter two hundred and eighty-eight, laws of nineteen hundred and seven), which moneys by the provisions of chapter forty-one, laws of nineteen hundred and eight, are appropriated for the maintenance of said State institutions and commissions making such payments, but nothing herein shall be construed to apply to the payments into the State Treasury by the State Reformatory and State Prison of the receipts for the labor of the inmates of those institutions.

4. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 268.

An act to amend an act entitled "An act authorizing the sale of land granted or devised to religious associations, or to corporations formed or existing for the purpose of education, or to officers or trustees of such corporations in certain cases," approved April seventeenth, one thousand nine hundred and five.

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

Section one amended.

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

When grant made for specific purposes may be sold by order of chancellor.

1. Wherever lands and tenements have heretofore been, or shall hereafter be, granted, conveyed or devised to religious associations or corporations, or to cor-

porations formed or existing for the purpose of education, or to officers or trustees of such associations or corporations by deed, will or otherwise, upon condition that the said lands and tenements so granted, conveyed or devised shall be held in trust for specific uses and purposes, and appropriating the rents, issues and profits thereof to specific use, but without power to sell and convey such lands and tenements, and the said associations, corporations, officers or trustees of such associations or corporations shall by petition represent to the Chancellor of this State that the existing situation and circumstances in the place where the said lands and tenements are located are such that the interests of such associations or corporations will be better promoted either by the sale or disposal of the said lands and tenements, or any part thereof, or by devoting the said lands and tenements or any part thereof to some use or purpose, not inconsistent with the nature and objects of the said association or corporation, other than the specific use or trust named in the instrument by which the said lands and tenements are conveyed or devised to the said association or corporation, the Chancellor shall direct notice of said application to be given in such manner and to such persons as to him shall seem proper, and may, in a summary manner by reference to a master, proceed to inquire into the merits of such application; and if it shall satisfactorily appear to the court that the interests of the said associations or corporations will be better promoted by the sale or disposal of the said lands and tenements, or any part thereof, by the said associations or corporations, or by the said association or corporation devoting the said lands and tenements, or any part thereof, to some use or purpose not inconsistent with the nature and objects of the said association or corporation, other than the specific use or trust named in the instrument by which the said lands or tenements are conveyed or devised to the said associations or corporations, the Chancellor may authorize and direct the said associations or corporations to sell or dispose of the said lands or tenements, or any part thereof, or, in the discretion of the trustees or directors of such associations or

Reference to master.

Order of chancellor.

corporations, to devote the said lands and tenements, or any part thereof, to such use or purpose not inconsistent with the nature and objects of the said association or corporation, other than the specific use or trust named in the instrument by which the said lands or tenements are conveyed or devised, or both, as under the existing situation and circumstances in the place where the said lands and tenements are located will better promote the interests of the said associations or corporations.

Application of act.

2. This act shall take effect immediately and shall apply to all proceedings which may now be pending before the Chancellor pursuant to the provisions of the act to which this act is amendatory.

Approved April 12, 1910.

CHAPTER 269.

An Act to regulate and control the business of the making of loans on pledges of personal property, chattel mortgages or assignment of salary or wages.

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

License to engage in loan business.

1. No person shall engage in the business of making or giving advancements or loans of money or other things of value and of taking or receiving as collateral security therefor pledges of personal property, chattel mortgages or assignments of salary or wages, or power of attorney authorizing the execution of such assignment of salary or wages without having first obtained a license to do such business in manner hereinafter provided.

License, by whom issued.

2. The common council or other governing body of any city, town, township, borough or other municipal body in this State shall and may, by ordinance, provide for the licensing, regulation and control of the business

of making or giving loans or advancements on pledges of personal property, chattel mortgages and assignments of salary or wages, and said common council or other governing body is hereby authorized and empowered to fix and regulate the form of such license, the license fees to be paid therefor to the municipal body, such rules and regulation for the control and conduct of said business as may be reasonable and proper.

License fees.

3. The license fee for the conduct of such business in cities of first class shall not be less than five hundred dollars per annum; in cities of the second class, not less than two hundred and fifty dollars per annum; cities of the third class, not less than two hundred dollars per annum; in all other cities, boroughs, towns, townships or other municipalities of said State, not less than one hundred and fifty dollars per annum.

Licensee to report to commissioner of banking and insurance.

4. Upon securing from the common council or other governing body of any municipality the license to do business, the person, firm or corporation securing said license shall, within thirty days, make report to the Commissioner of Banking and Insurance on blanks to be provided for such purpose, which said blanks shall contain the names of the person, persons, firm or corporation engaged in said business, the location of the place of business and the amount of capital paid in and employed at the date of the making of the certificate and all other funds used as loanable capital in said business and obtained in any manner other than through capital contribution.

Rates on loans.

5. The rates of interest to be charged by any person or persons, firm or corporation upon loans on pledges of personal property, chattel mortgages, assignment of salary or wages, shall not exceed the sum of twelve per centum per annum.

Records of loans kept.

6. Any person or persons, firm or corporation engaged in the business of making loans on pledges of personal property, chattel mortgages and assignment of salary or wages shall keep full, true and correct records of all loans made on pledges of personal property, chattel mortgages or assignment of salary or wages, which record shall show the name of the persons to whom said loan or advancement is made, the value

and kind of pledge or security given therefor, and the amount loaned or advanced thereon, and the rate of interest at which the loan or advancement is made.

Inspection of record by police authority.

7. The chief of police or other head officer of the police department of the municipality in which such business is licensed is hereby empowered and authorized to inspect the records of loans made by any person, firm or corporation making loans upon pledges of personal property, chattel mortgages or assignment of salary or wages, and the common council or other governing body of such municipality may by ordinance prescribe that such reasonable reports of the business as said body may deem necessary be made by person, firm or corporation conducting said business to the chief of police or other head of the police department of the municipality.

As to assignment of wages.

8. No assignment of or order for wages to be earned in the future shall be valid against the employer of the person making said assignment or order until such assignment or order is accepted in writing by said employer and the said assignment and order and acceptance of the same has been filed with the clerk of said town, township, borough or other municipality where the party making said assignment or order resides if a resident of the State, or in which he is employed if a non-resident.

Wife to consent.

9. No such assignment of or order for wages or salary to be earned in the future shall be valid when made by a married man, unless the written consent of his wife to the making of such assignment or order is attached thereto; *provided,* that where a married man is living separate and apart from his wife for a period of five months prior to said assignment, then such consent shall not be required.

Proviso.

Penalties.

10. Any persons engaged in the business of making loans on pledges of personal property, chattel mortgages and assignment of salary or wages without a license therefor first had as provided in this act shall be guilty of a misdemeanor; any person charging for a loan or advancement on pledges of personal property, chattel mortgages or assignment of salary or wages a rate of interest greater than set forth in the schedule

to be issued by the Commissioner of Banking and Insurance as hereinbefore provided shall be guilty of a misdemeanor.

Municipal ordinances to effect fulfillment of law.

11. The common council or other governing body of any city, township or other municipality hereby authorized to adopt ordinances according to the provisions of this act is further authorized and empowered to fix or prescribe the penalty or penalties for the violation thereof either by imprisonment in the municipal lock-up or county jail, as may be designated by said governing body, for a term not to exceed ninety days, or by a fine not exceeding two hundred dollars and imprisonment in the municipal lock-up or county jail, as may be designated by the governing body, for a term not exceeding ninety days in default of payment of said fine; and it shall be lawful for the governing body to authorize and empower the officer or magistrate before whom any person or persons, firm or corporation offending may be brought, on conviction, to impose any fine in the discretion of such officer to the maximum fixed in said ordinance or to imprison for any term not exceeding the term of imprisonment therein fixed.

Exceptions to application of act.

12. This act shall not be held to apply to pawnbrokers who are already regulated by law, nor to provident loan associations authorized to do business by chapter ninety-six of the laws of one thousand nine hundred and four, or to those doing business under chapter three hundred and sixty-eight of the laws of one thousand eight hundred and ninety-five, nor shall it apply to banks, bankers, trust companies or savings banks, or to any transactions with banks, bankers, trust companies or savings banks, or to loans made by manufacturers or merchants to their customers and secured by chattel mortgages.

Repealer.

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

14. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 270.

An Act to authorize the acquisition by purchase or condemnation of lands for public parks by the cities and towns of this State, and for the improvement and regulation thereof, and for the issuing of bonds and temporary obligations for such purpose, and to provide for the payment thereof.

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

Acquire land for parks.

1. The common council, board of aldermen, or other governing body of any city, or town, in this State, may from time to time by resolution provide for the acquisition of one or more tracts of land for the use of the inhabitants of such city or town as a public park or parks, and for laying out, embellishing and maintaining the same, and from time to time may pass ordinances regulating the control of the same and providing for the proper and convenient use thereof by the inhabitants aforesaid. The acquisition of any such land or lands may be by purchase, or if, by reason of inability to agree with the owner or owners of said land or lands or any part thereof upon the price to be paid therefor, or for any other reason, the purchase thereof shall be deemed by said common council, board of aldermen or other governing body impossible or inadvisable, then said land or lands may be condemned and taken in the name and on behalf of such city or town, and the compensation to be made therefor shall be ascertained and paid or tendered in the manner provided by law.

How acquired.

May borrow money.

2. The common council, board of aldermen or other governing body of any city or town in this State shall have power from time to time by resolution to borrow moneys upon certificates of indebtedness, promissory notes or other temporary evidences of indebtedness of

such city or town, and to apply said moneys to the cost of acquiring any land or lands theretofore or thereafter acquired under the authority of this act, and the improvement thereof as a public park or parks, and to fund said certificates of indebtedness, promissory notes or other temporary evidences of indebtedness into bonds of the city, to be issued as hereinafter provided.

Issue "park bonds."

3. The common council, board of aldermen or other governing body of any city or town in this State may, from time to time, by resolution provide for the issuance of bonds of such city or town, to be designated as "Park Bonds," of such denominations, bearing such a rate of interest, not exceeding five per centum per annum, and payable at such places and at such times, not exceeding twenty-five years from their date, and in such form, either coupon or registered, or registered and coupon combined, and executed in such manner as said common council, board of aldermen or other governing body shall by resolution determine; and said bonds shall recite that they are issued pursuant to the authority of this act and of said resolution, which recital shall be conclusive evidence of their validity and the regularity of their issuance. Such bonds shall be sold at public sale after advertisement of notice thereof for the time and in the manner provided in the resolution authorizing them, and the proceeds resulting from the sale of such bonds shall be applied toward the cost of acquiring any lands theretofore or thereafter acquired under the authority of this act, or to the improvement of any such lands as a public park or parks, or to the payment and retirement of any certificates of indebtedness, promissory notes or other temporary evidences of indebtedness issued under the authority of this act, or for any one or more of said purposes.

Rate.

Time.

Sale.

Proceeds.

Sinking fund.

4. The common council, board of aldermen or other governing body of any city or town issuing bonds under the authority of this act shall provide for a sinking fund for the retirement of said bonds at maturity, into which shall be paid annually until the payment of said bonds an amount not less than two per centum of the principal of said bonds to be raised by tax to be assessed, levied and collected with the other taxes in such city

or town; and there shall likewise be raised by taxation each year until the payment in full of said bonds an amount equal to the interest payable on said bonds in such year; and said common council, board of aldermen or other governing body shall be authorized to provide for the assessment, levy and collection of such taxes as may be necessary to pay any certificates of indebtedness, promissory notes or other temporary evidences of indebtedness which may be issued under the authority of this act and not paid or retired, or provided to be paid or retired, out of the proceeds of bonds issued as aforesaid.

Act deemed additional legislation.

5. This act shall not repeal any other legislation or affect any proceedings thereunder, for the purchase or condemnation of lands for park purposes, or the improvement thereof, or for the raising of funds therefor; but this act shall be deemed to be additional legislation for such purposes, and to be independent of any and all powers and authority conferred by any other law or laws, and not subject to any limitation contained in any other law or laws.

6. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 271.

An Act to amend an act entitled "An act to secure to mechanics and others payment for their labor and materials in erecting any building (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 two amended.

1. Section two of the above entitled act be and the same is hereby amended to read as follows:

Land and property liable to contractor.

2. Whenever any building shall be erected in whole or in part by contract in writing, such building and the land whereon it stands shall be liable to the contractor alone for work done or materials furnished in pursuance of such contract; *provided*, said contract, or a duplicate thereof, together with the specifications accompanying the same, or a copy or copies thereof, be filed in the office of the clerk of the county in which such building is situate before such work done or materials furnished; *provided further*, that it shall not be necessary to file the plans for such building in said clerk's office, whether such plans are referred to in said contract or not.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 272.

An Act to amend 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:*

Section seven amended.

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

Notice of primary election by municipal clerk.

7. The clerk of every township, city, or other municipality, shall, at least eight days prior to and within thirty days next preceeding the day of election, put up, or cause to be put up, an advertisement in at least five of the most public places within such township, city or other municipality, which advertisements shall make known the time, place and purpose of holding such election, and any election consolidated therewith, and the office or offices to be filled thereat, and shall be signed by such clerk; and shall, at least two weeks preceding the primary election, hereinafter provided for, cause a

Notice of primary election and registration.

notice to be published in not more than two of the newspapers of the county wherein such municipality is situate, as said clerk shall select, setting forth that the boards of registry and election in and for each election district in such municipality will meet for the purpose of making a registration of voters on the days and between the hours hereinafter designated for that purpose; and that a primary election of delegates to conventions of political parties or for making nominations, or for both, as the case may be, will be held on the day and between the hours and at the places as provided in this act; and making known the time, place and purpose of holding such general election, and any election consolidated therewith, and the office or offices to be filled; said notice shall be published in such newspaper or newspapers as will afford the widest possible information to all voters, and shall be continued in such newspaper or newspapers at least once, and not more than twice, in each week, up to and including the day before such election day; *provided,* that if there be a newspaper printed and published in such municipality, said newspaper shall be one of the newspapers so selected by the municipal clerk; in cities having more than thirty thousand population, said notice shall include, in the newspaper or newspapers selected, a short description of the boundary lines of each election district therein, and the place of meeting of the board of registry and election; *provided,* that the part of said notice relating to the primary election and the respective meetings for registration of the boards of registry and election shall be omitted after the holding of the same.

Proviso.

Proviso.

Section 180 amended.

2. Section one hundred and eighty of the act to which this act is an amendment is hereby amended to read as follows:

Provision for expenses incurred by county and municipal clerks and other officers.

180. All costs, charges and expenses incurred by the county and municipal clerks in carrying out the provisions of this act (except for ballots furnished to individuals as hereinbefore provided), including the charges and expenses incurred for rooms for polling places and fitting up and arranging the same, the compensation of the district boards of registry and election and all other expenses incurred by any officer or person

duly authorized in carrying out the provisions of this act, shall be regarded as election expenses and shall be paid in the case of the general election or any special election held in and for the whole county, by the respective counties, and in case of all other elections by the respective municipalities in and for which they are held, in the same manner as other county and municipal expenses are paid; but all bills before being paid shall be itemized and verified by the oath of the claimant and audited and approved by the clerk of the county, township, city or municipality who contracted the bill charged for; *provided,* that nothing herein contained shall be construed as permitting compensation to any election agent or challenger; and the board of freeholders in each county shall include in their annual tax levy a sum sufficient to pay all the election expenses, and a reasonable compensation for the services of the county board of elections, the amount of which shall be determined by the board of chosen freeholders; *provided, also,* that the member of said county board of elections who shall be the secretary thereof, may receive an additional compensation not exceeding one-third of the compensation of the individual members of said board, except in counties of the first class, where there shall be a clerk of said board who shall receive such compensation as shall be fixed by said board of freeholders; *provided,* that the expense of the advertising and publication prescribed by section seven of this act shall be chargeable to and paid by the respective townships, cities or other municipalities whose clerks shall cause the prescribed advertising and publication, and the board or body having charge of the finances of the respective townships, cities or other municipalities shall include in their annual tax levy a sum sufficient to pay the expense of said prescribed advertising and publication.

Proviso.

Proviso.

Proviso.

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

Repealer.

Approved April 12, 1910.

CHAPTER 273.

An Act making appropriation for the improvement of lands acquired by the State of New Jersey between the raceway of the Trenton Water Power Company and the Delaware river.

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

Appropriation for improving lands in rear of State House.

1. For the purpose of improving land lying between the raceway of the Trenton Water Power Company and the Delaware river, acquired by the State of New Jersey pursuant to the provisions of an act entitled "An act to authorize the extension and improvement of the State House grounds," approved April fourteenth, one thousand nine hundred and eight, the sum of sixty thousand dollars is hereby appropriated, to be expended by the State House Commission; *provided, however,* that not more than thirty thousand dollars shall be expended the first year, and the said State House Commission is hereby authorized to expend the sum of thirty thousand dollars in making such part of such necessary improvement as can be completed within the limit of the first year's appropriation, and expend the remaining sum of thirty thousand dollars when appropriated.

Proviso.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 274.

An Act concerning marriages (Revision of 1910).

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

Prohibited mariages.

1. A man shall not marry any of his ancestors or descendants, or his sister, or the daughter of his brother or sister, or the sister of his father or mother, whether such collateral kindred be of the whole or half blood. A woman shall not marry any of her ancestors or descendants, or her brother, or the son of her brother or sister, or the brother of her father or mother, whether such collateral kindred be of the whole or half blood. A marriage in violation of any of the foregoing provisions shall be absolutely void.

Who may perform marriages.

2. The Chief Justice and each Justice of the Supreme Court, the Chancellor and each Vice-Chancellor, and each judge of the Court of Common Pleas and justice of the peace, recorder and police justice, and mayor of a city of this State, and every stated and ordained minister of the gospel, is hereby authorized to solemnize marriages between such persons as may lawfully enter into the matrimonial relation, and every religious society, institution or organization in this State may join together in marriage such persons as are members of the said society, institution or organization, or when one of such persons is a member of such society, institution or organization, according to the rules and customs of the society, institution or organization to which they or either of them belong.

Marriage license necessary.

3. From and after the first day of July, Anno Domini one thousand nine hundred and ten, it shall be necessary for persons intending to be married within this State to first obtain a marriage license and deliver the same to the clergyman, magistrate or person who is to officiate, before the proposed marriage can be law-

Proviso.

fully performed; *provided,* that if the marriage is to be performed by or before any religious society, institution or organization, the license shall be delivered to said religious society, institution or organization, or any officer thereof. If the female party to the proposed marriage is a resident in any city, borough, town or other municipality of this State, such license shall be obtained from the registrar of vital statistics, if there be such officer, and if not, then from the clerk of such city, borough, town or other municipality wherein such female resides; or if the female party to the proposed marriage is a non-resident of this State, such license shall be obtained from the registrar of vital statistics, if there be such officer, and if not, then from the clerk of such city, borough, town or other municipality wherein the male party to the proposed marriage resides. If both or either of the parties to the proposed marriage are resident in any township of this State, such license shall be obtained from the registrar of vital statistics, if there be such officer, and if not, then from the assessor of taxes of the township. If both of the parties to the proposed marriage are non-residents of the State, such license shall be obtained, if the proposed ceremony is to be performed within any city, borough, town or other municipality of this State, from the registrar of vital statistics, if there be such officer, and if not, then from the clerk of such city, borough, town or other municipality; but if within any township of this State, the said license shall be obtained from the registrar of vital statistics, if there be such officer, and if not, then from the assessor of taxes of the said township; *provided,* no license to marry shall be issued when either of the contracting parties, at the time of making the application, is under the influence of intoxicating liquor or a narcotic drug, or is an imbecile, epileptic, or of unsound mind, nor shall any such license be issued to any person who is or has been an inmate of any insane asylum or institution for indigent persons, unless it satisfactorily appears that such person has been discharged from such asylum or institution.

Where and by whom license issued.

Proviso.

Form of marriage license.

4. The registrar of vital statistics, if there be such officer, and if not, then the clerk of every city, borough, town or other municipality in this State, and the assessor of every township in this State, is hereby empowered to issue marriage licenses to either of the contracting parties who may apply for the same and who may be entitled under the laws of this State to contract matrimony, authorizing the marriage of such parties, which license shall be substantially in the following form:

State of New Jersey.

County of .....

City, town or township of.....

This is to certify that any person, religious society, institution or organization authorized by law to perform marriage ceremonies within the State of New Jersey to whom this may come, he or they, not knowing any lawful impediment thereto, is hereby authorized and empowered to solemnize the rites of matrimony between A..... B....., of ....., in the county of..... and State of....., and C..... D....., of....., in the county of....., of the State of....., and to certify the same to be the said parties, or either of them, under his hand and seal in his ministerial or official capacity.

In testimony whereof I have hereunto set my hand and affixed the seal of said town, township or city at....., this ..... day of ....., nineteen hundred and.....

.....

(Name and official title.)

Certain facts given.

On the reverse side of the marriage license shall be the form for the certificate of marriage, which shall set forth particularly the name, age, parentage, color, birthplace, occupation and residence of each of the persons married, the date and place of the marriage, the condition of each of the persons married, whether single, widowed or divorced, the signature of the minister, magistrate or person by whom, or the name of the religious society, institution or organization before whom the marriage was solemnized, and the signa-

ture and place of residence of at least two witnesses who were present at such marriage.

Oath of applicant.

5. Before any assessor, registrar or clerk shall issue any marriage license, as provided in the third and fourth paragraphs of this act, he shall require one of the contracting parties to subscribe and swear to an oath or affirmation attesting the truth of the facts respecting the legality of the proposed marriage, and he shall issue the said license only if it shall be so made to appear before him that no legal impediment to such marriage exists. For issuing such license he shall be entitled to receive from the applicant the sum of one dollar.

License fee.

Information supplied license officers.

6. The State Bureau of Vital Statistics shall cause to be issued to the several assessors of the townships, registrars of vital statistics, if there be such officers, and, if not, then to the clerks of the cities, boroughs, towns and other local municipal governments in this State the form and substance of the several inquiries to be made of any applicant for marriage license as aforesaid, in order that the several assessors, registrars and clerks shall be enabled to obtain the information required to ascertain whether any legal impediment to any proposed marriage exists.

Consents necessary in case of minors.

7. If any such male applicant for license to marry shall be a minor under the age of twenty-one years, or any such female applicant under the age of eighteen years, such license shall not be issued unless the parents or guardians of the said minor, if there be any, shall first certify, under their hands and seals, in the presence of two reputable witnesses, their consent thereto; which consent shall be delivered to the assessor, registrar or clerk issuing the license. If the parents, or either of them, or guardians of any such minor shall be of unsound mind, then the consent of such parent or guardian to the proposed marriage shall not be required.

Penalty for perjury.

8. If any person applying for license under this act shall knowingly make false answer to any of the inquiries asked by the assessor, registrar or clerk, he or she shall be deemed guilty of perjury, and shall, upon

conviction thereof, be subject to the penalties imposed therefor by the laws of this State.

Penalty for illegal performing marriage.

9. If any person or persons, or any religious society, institution or organization, having authority to solemnize marriages, shall perform any marriage ceremony between parties without the presentation of a license therefor, obtained in accordance with the provisions of this act, he shall be deemed guilty of a misdemeanor, and shall, upon conviction, be sentenced to imprisonment for a term not exceeding six months, or to pay a fine not exceeding five hundred dollars, or both, at the discretion of the court. Any person or persons authorized to solemnize marriages are also empowered to administer oaths or affirmations to the parties applying to be married, and to require them, or either of them, to make true answers to any inquiries he or they may make of them, or either of them, in order to ascertain whether in his or their judgment any legal impediment to the proposed marriage exists; and any person willfully making false answer to any of such inquiries shall be deemed guilty of perjury, and upon conviction be subject to the penalty imposed therefor by the laws of this State; *provided* such answer or answers be reduced to writing and signed by the party making the same and attached to the marriage certificate.

Officiating officer may administer oath.

Proviso.

Penalty for false certificate.

10. Any person, religious society, institution or organization authorized to perform the ceremony of marriage, who shall make any false certificate of marriage, shall be liable to a penalty not exceeding one hundred dollars, to be recovered as hereinafter provided.

As to common law marriages.

11. Nothing in this act contained shall be deemed or taken to render any common law or other marriage, otherwise lawful, invalid by reason of the failure to take out a license as is herein provided.

License and certificate transmitted to issuing officer.

12. It shall be the duty of every judge of any Court of Common Pleas, justice of the peace, recorder, police justice, mayor, minister of the gospel, and other person who shall solemnize any marriage in this State, or the clerk or keeper of the minutes of any religious society, institution or organization, before which any marriage

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shall be solemnized in this State, to transmit to the officer by whom such marriage license was issued, within five days after such solemnization, the marriage license, together with the certificate of marriage. Any minister, magistrate or other person, or clerk or keeper of the minutes of any religious society, institution or organization, who shall neglect or fail to transmit such certificate and license to the officer hereinafter designated within the time aforesaid, shall be liable to a penalty not exceeding fifty dollars.

Penalty for not transmitting.

Transmittal to registrar or assessor.

13. Every certificate of marriage and every marriage license required to be made by this act shall be transmitted by the person or society performing the marriage to the local registrar of vital statistics, if there be such officer, and if not, then to the clerk of the city, borough or town in which such marriage shall occur, or to the clerk of any county board of health now established in this State, and in any township every such certificate shall be transmitted to the registrar of vital statistics or assessor of the township in which such marriage shall occur, or if there be no registrar of vital statistics or assessor in office, then to the township clerk.

Licenses, etc., sent monthly to bureau of vital statistics.

14. It shall be the duty of each registrar of vital statistics, if there be such officer, and if not, then the assessor or clerk of every township, and the clerk of every city, borough, town or other local municipal government in this State, and the clerk of every county board of health and vital statistics, on or before the tenth day of each calendar month, to transmit by mail, express or messenger, to the State Bureau of Vital Statistics, at Trenton, in an envelope or package marked "Vital Statistics," all the certificates of marriages, marriage licenses and consents to the marriage of minors, received by such officer, which certificates, licenses and consents it shall be the duty of every such officer to receive for transmission, and every such assessor, registrar or clerk upon receiving a certificate from the medical superintendent of said bureau of the whole number of certificates of marriages transmitted as aforesaid, shall be entitled to receive from the proper disbursing officer of the township, city, borough, town, county or other local municipal govern-

ment in which such assessor, registrar or clerk shall be an officer, the sum of twenty cents for each marriage certificate so transmitted, the receipt for which shall be attached to the said certificate of the said medical superintendent, and no payment shall be made unless such certificate be produced, and no credit shall be given or certificate issued by the said medical superintendent to any such assessor, registrar or clerk for any certificate of marriage which is mailed or otherwise transmitted later than ten days after the end of the calendar month in which the marriage occurred; *provided,* that in any city the board or body having the appointment of registrars or persons acting as such may, in lieu of fees, provide that officers performing the above service shall receive therefor a stated or fixed compensation to be determined by such board or body. Any assessor, or clerk of a township, or registrar of vital statistics, or clerk of a city, borough, town, county or other local municipal government in this State who shall neglect or fail to transmit, as provided for in this section, to the State Bureau of Vital Statistics, at Trenton, on or before the tenth day of each calendar month, all certificates of marriage in his possession, shall be liable to a penalty of fifty dollars, to be recovered as hereinafter provided.

Fee for transmittal.

Proviso.

Penalty for failure to transmit.

15. It shall be the duty of the medical superintendent of the State Bureau of Vital Statistics to cause the certificates of marriages and marriage licenses received by said bureau pursuant to the provisions of this act, to be alphabetically indexed, and in connection with said index to cause to be transcribed, or otherwise recorded from said certificates, such of the vital facts appearing thereon as the State Bureau of Vital Statistics may deem necessary and useful. The certificates of marriages shall be so tabulated as to present in separate and distinct classes the record of each county, city or other municipality of over five thousand inhabitants, which record thus prepared and classified shall be preserved as a public record in the office of the State Bureau of Vital Statistics, and the original certificates shall be preserved in the archives of the Bureau of Vital Statistics. Any original certificate of marriage, mar-

Indexing and preservation of records.

Records in evidence.

riage license and consent to the marriage of minors, or any copy thereof, certified to be a true copy under the hand of said medical superintendent, shall be received in evidence in any court of this State as prima facie proof of the facts therein contained.

Blanks, etc., furnished by by State bureau.

16. It shall be the duty of the State Bureau of Vital Statistics to cause to be prepared blank forms of certificates of marriages and marriage licenses corresponding to the requirements of this act, which forms, together with such sections of this law and such instructions and explanations thereof as the said bureau may deem useful to persons having duties to perform under this act, shall be printed and supplied in the same manner as the blanks and stationery for the use of the several departments of the State government are printed and supplied, and shall be distributed from time to time, as occasion may require, by said bureau to the assessors of townships, the registrars of vital statistics and the clerks of the cities, boroughs, towns and other local municipal governments of this State; and all certificates of marriages and marriage licenses required to be made under this act shall be written upon the said blanks.

Penalties, how recoverable.

17. Any penalty incurred under any of the provisions of this act may be recovered, with costs, in an action of debt by and in the name of the local board of health of the municipality where the marriage occurred, or by and in the name of the Board of Health of the State of New Jersey.

Invalidity of section.

18. In event that any section of this act, or part thereof, shall be held to be invalid by a court of competent jurisdiction, such adjudication shall not affect the other portions of this act.

Repealer.

19. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect July first, Anno Domini one thousand nine hundred and ten.

In effect.

Approved April 11, 1910.

CHAPTER 275.

An Act to amend an act entitled "A further supplement to an act entitled 'An act respecting annual reports to the Legislature of railroad and canal companies,' approved February twenty-fourth, one thousand eight hundred and fifty-two," approved April third, one thousand eight hundred and seventy-three.

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. The reports required to be made annually to the Legislature by the several railroad and canal companies of this State, as provided by an act entitled "An act respecting annual reports to the Legislature of railroad and canal companies," approved February twenty-fourth, one thousand eight hundred and fifty-two, and the acts amendatory thereof and supplementary thereto, shall hereafter be transmitted to the Comptroller of the Treasury, who shall file the same in his office, there to remain of record, and such parts or portions of said report shall be printed as the State Comptroller and the State Commissioner of Reports may designate. Annual reports transmitted to Comptroller.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 276.

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 twenty-fifth, one thousand nine hundred and seven.

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 is hereby amended to read as follows:

Certificate of authority necessary.

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 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.

Fee for renewal.

Proviso.

Proviso.

Section 2 amended.

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

Application to banking department.

2. Every applicant for such certificate shall present to the Commissioner of Banking and Insurance an application and statement in writing, upon a blank furnished or approved by said commissioner, setting forth the location of the office or offices where said business is to be carried on and the country or countries to which it is proposed to transmit money, and a statement of the assets and liabilities of the applicant, which statement must show that the applicant is possessed of unencumbered assets of at least five thousand dollars in excess of his or its liabilities. Such application and statement shall be verified by the oath of the applicant.

Section 3 amended.

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

Applicant to give bond.

3. Every applicant shall make, execute and deliver a bond to the Commissioner of Banking and Insurance in the sum of twenty thousand dollars, conditioned for the faithful holding and transmission of any money or equivalent thereof, which shall be delivered to the applicant for transmission to foreign countries. Said bond shall be executed by the applicant as principal, with at least two good and sufficient sureties, who shall be residents of this State and together possessed of property to the value of forty thousand dollars over and above all debts and liabilities. The bond shall not be accepted unless approved by the Commissioner of Banking and Insurance, and upon such approval it shall be filed in his office. The bond of a surety company may be received if said surety company shall have complied with the requirements of the laws of this State relating to the giving of bonds by surety companies. Before granting a certificate of authority, or any renewal thereof, or at any time after the granting of such certificate, the Commissioner of Banking and Insurance, or some person authorized by him, shall have authority to make an examination of the affairs and financial condition of such applicant or licensee, and if it shall appear by such examination that the applicant or licensee is not possessed of the minimum amount of net unencumbered assets required by section two of this act, said commissioner may refuse to issue a certificate of authority or may

Sureties.

Examination of applicant's responsibility.

Certificate may be revoked.

revoke the same if already issued. The certificate of authority issued to any licensee may also be revoked if it shall appear to the satisfaction of said commissioner that the moneys deposited with said licensee for transmission to foreign countries are not forwarded within the time limited by the first section of this act. All of the expenses of examinations of applicants or licensees shall be borne by such applicants or licensees, and said commissioner may maintain an action for the recovery of such expenses in any court of competent jurisdiction.

Expenses of examination borne by applicant.

Section 4 amended.

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

Additional bond for each place of business.

4. If the said applicant shall carry on the business mentioned in section one of this act at more than one place within this State, such applicant shall furnish an additional bond in the sum of five thousand dollars for each and every additional place of business he or it may conduct.

Section 5 amended.

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

Records kept by Commissioner of Banking.

5. The Commissioner of Banking and Insurance shall keep a record of the certificates of authority issued by him and of such bonds filed with him, with the names and addresses of the sureties on said bonds, and such record shall be open to public inspection. Any person who suffers by the default of the principals named in said bonds in the transmission of money to foreign countries, may sue upon said bonds in any court of competent jurisdiction and recover thereon the amount that it shall be proven he has lost or suffered by such default; *provided*, that suit shall be begun within one year after the date of such default. In an action against a licensee, to recover money deposited with such licensee for transmission, the burden of proving the transmission to and receipt of the money by the person to whom such money may have been transmitted for payment to the person to whom such money was to be paid, shall be upon the licensee to whom such money was delivered for transmission. Proof by a properly authenticated affidavit of such licensee or his or its duly authorized agent, showing the transmission of such money to the

Proviso.

Proof in recovery of money by action.

person to whom the same was to be transmitted, or to the correspondent of the licensee to whom such money may have been transmitted for payment to the person to whom such money was to be paid, together with a properly authenticated receipt signed by the consignee of such money, or in lieu of such receipt a properly authenticated affidavit of the agent of the licensee showing the fact of payment, shall be deemed sufficient evidence to shift the burden of proof to the plaintiff.

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

Approved April 12, 1910.

CHAPTER 277.

An Act to amend an act entitled "An act regulating the age, employment, safety, health and work hours of persons, employes and operatives in factories, workshops, mills, and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," approved March twenty-fourth, one thousand nine hundred and four.

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

1. Section nine of the act to which this act is an amendment be and the same hereby is amended to read as follows: Section 9 amended.

9. No minor under the age of sixteen years shall be employed, permitted or allowed to work in a place coming under the provisions of this act more than ten hours a day, or fifty-five hours in a week, and between the fourth day of July, in the year nineteen hundred and ten, and the fourth day of July, in the year nineteen hundred and eleven, no minor under the age of fifteen years shall be employed, permitted or allowed Working hours for minors.

to work in a place coming under the provisions of this act between the hours of six o'clock in the evening and six o'clock in the morning, and after the fourth day of July, nineteen hundred and eleven, no minor under the age of sixteen years shall be employed, permitted or allowed to work in a place coming under the provisions of this act between the hours of six o'clock in the evening and six o'clock in the morning. Any corporation, firm or person permitting or allowing any person to work contrary to the provisions of this section shall be liable to a penalty of fifty dollars for each offense.

Penalty.

Approved April 12, 1910.

CHAPTER 278.

An Act concerning the liability of railroads for injury to persons or property caused by running cars across public streets and highways at which crossings no safety gates, bell or other device to give warning to the traveling public have been installed.

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

Jury to determine responsibility in grade crossing suits.

1. In any action against any steam railroad company brought to recover damages for injuries or death occurring at any crossing of the right of way of such steam railroad company, where such company has not installed any safety gates, bell or device usually employed to warn and protect the traveling public at such crossing, which injuries or death are alleged to be due to the negligence of said railroad company or its agents, the plaintiff in such action shall not be non-suited on the ground of contributory negligence on his own part or on the part of the person for whom such suit is brought, but in all such cases it shall be left to the jury to determine whether the person injured or killed was

exercising due and reasonable care under the conditions existing at said crossing at the time of such injury or death, and if the jury shall determine that the person injured or killed was not exercising due and reasonable care under the conditions existing at the said crossing at the time of such injury or death, the verdict shall be against the plaintiff and in favor of the defendant.

Repealer. 2. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

3. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 279.

A Supplement to an act entitled "An act concerning district courts (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:*

Interrogatories. 1. After the service of the summons or warrant, as the case may be, in any action brought in this court wherein the thing or matter in dispute as shown by the summons is of the value of three hundred dollars or over, either party may, by leave of the court, serve on the adverse party, whether such party be a natural person or body corporate, written interrogatories upon any matter material to the issue, and written answer to the same under oath shall be served in seven days after service, or such other time as the judge may direct; the answers shall be strictly responsive, and in case of a body corporate shall be under the oath of such of the officers, agents or employes of the corporation as have personal knowledge of the facts, or custody of the books, records or papers, a discovery of which is sought;

Answers.

the judge of the court may, for the purpose of compelling an answer, attach for contempt, suppress the defense or stay or dismiss the proceeding; the answers shall be in evidence in the action if offered by the party proposing the interrogatories, but not otherwise; *provided,* that where interrogatories have been served in the cause then trial of the cause shall not take place without the consent of the party proposing the interrogatories until at least five days after such interrogatories have been answered, unless the court shall direct otherwise; *and provided further,* that the said judge may, for good cause and on notice to the adverse party, order any of the interrogatories to be stricken out or amended or new ones added, or grant further time for answering, or order or permit the answers to be amended.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 280.

A Supplement to an act entitled "An act to regulate the practice of midwifery in the State of New Jersey," approved March eighth, one thousand eight hundred and ninety-two.

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

1. Any person beginning the practice of midwifery in this State after July fourth, one thousand nine hundred and ten, shall first obtain from the State Board of Medical Examiners of New Jersey, which the said board is authorized to grant as hereinafter provided, a license so to do; *provided,* that the educational qualifications hereinafter prescribed shall not be construed as applying to any person who began the study of midwifery prior to July fourth, one thousand nine hundred

License.

Proviso.

and ten, and who possesses the education in midwifery required by the said board under the act to which this act is a supplement; *and provided further,* that the licenses now in force granted under the act of one thousand eight hundred and ninety-two shall not be invalidated by any of the provisions of this supplement. Proviso.

2. Candidates for examination shall present to the said board, at least ten days before the commencement of the State examinations, a written application on a form or forms provided by the said board, setting forth under affidavit the name, age, nativity, residence, moral character and time spent in obtaining a common school education, or its equivalent; that the candidate has received a certificate or diploma from a legally incorporated school of midwifery in good standing at the time of issuing said certificate or diploma, granted after at least two courses of instruction of at least seven months each in different calendar years, or a certificate or diploma from a foreign institution of midwifery of equal requirements as determined by the said board, conferring the full right to practice midwifery in the country in which it was issued. Apply for examination. Requirements.

The application must bear the seal of the institution from which the applicant was graduated. Foreign graduates must present with the application a translation of their foreign certificate or diploma, made by and under the seal of the consulate of the country in which the said certificate or diploma was issued. The applications must be indorsed by a registered physician of New Jersey. As to diplomas.

3. If the application is approved and the candidate shall have deposited the sum of fifteen dollars as an examination fee with the secretary of the said board, the candidate shall be admitted to the examination, and, in case of failure to pass the examination, may be re-examined at any regular examination within one year without the payment of an additional fee, said fee to be retained by the board after failure to pass second examination. Examination fee.

4. The State Board of Medical Examiners is hereby authorized and empowered to execute the provisions of this act, and shall hold examinations in midwifery in Time for examinations.

the capitol building, Trenton, New Jersey, on the third Tuesday in June and October, from ten A. M. to five P. M., or such other times as the said board may deem expedient. The examinations may be oral, written or both, and shall be in the English language; if desired in any other language, an interpreter may be provided by said board upon notification to the secretary at least ten days before the examination. Examinations shall be held on the following subjects:

Subjects of examinations.

1—Anatomy of the pelvis and female generative organs;

2—Physiology of menstruation;

3—Diagnosis and management of pregnancy

4—Diagnosis of fœtal presentation and position;

5—Mechanism and management of normal labor;

6—Management of the puerperium;

7—Injuries to the genital organs following labor;

8—Sepsis and antisepsis in relation to labor;

9—Special care of the bed and lying-in room;

10—Hygiene of the mother and infant;

11—Asphyxiation, convulsions, malformation and infectious diseases of the new born;

12—Cause and effects of ophthalmia; neanatorium;

13—Abnormal condition requiring the attendance of a physician.

Fitness determined.

Said examination shall be sufficient to test the scientific and practical fitness of candidates to practice midwifery, and the board may require examination on other subjects relating to midwifery from time to time. If said examination is satisfactory, said board shall issue a license, with a certified copy, signed by its president and secretary and attested by its seal, entitling the candidate to practice midwifery in the State of New Jersey; *provided,* that said license shall not authorize the holder to prescribe any drug or medicine except some preparation of ergot after the birth of the head of the infant, or household remedies, or attend other than cases of labor. The certificate of license or the certified copy thereof must be filed in the office of the clerk of the county in which the licentiate resides or removes to, and said clerk shall enter a memorandum thereof in a book kept for this purpose, giving the name of licen-

Proviso.

License filed.

tiate, date and number of license and date of registration, for which said clerk shall be entitled to a fee of one dollar. All application papers shall be deposited in the State Library at Trenton for at least two years, when they may be destroyed; their contents shall be recorded in the official register of the board kept for this purpose, which, or a certified copy thereof, shall be prima facie evidence of all matters therein contained.

Applications deposited in State Library.

5. Midwives shall always secure the immediate services of a reputable registered physician whenever any abnormal signs or symptoms appear in either mother or infant.

When physician called.

6. Said board may refuse to grant, or may revoke, a license for any of the following reasons, namely: Persistent inebriety, the practice of criminal abortion, crimes involving moral turpitude, presentation of a certificate or diploma for registration or license illegally obtained, application for examination under fraudulent representation, neglect or refusal to make proper returns to the health officers or health department of births, or of a puerperal, contagious or infectious disease, within the legal limit of time; failure to file a State license, or a certified copy thereof, with the clerk of the county in which the licentiate resides or practices; failure to secure the attendance of a reputable physician in case of miscarriage, hemorrhage, abnormal presentation or position, retained placenta, convulsions, prolapse of the cord, fever during parturient stage, inflammation or discharge from the eyes of the new-born infant, or whenever any abnormal or unhealthy symptoms appear in either the mother or infant during labor or the puerperium.

Causes for refusal or revocation of license.

In complaints of violation of the provisions of this section, the accused shall be furnished with a copy of the complaint and given a hearing before said board in person or by attorney, and any midwife refused admittance to the examination or whose license has been revoked, who shall attempt or continue the practice of midwifery, shall be subject to the penalties hereinafter prescribed.

On complaint, copy furnished.

7. Any person shall be regarded as practicing midwifery within the meaning of this act who shall attend

Midwifery defined.

a woman in childbirth as a midwife, or advertise as such, by signs, printed cards or otherwise, but nothing shall be construed in this act to prohibit gratuitous service in case of emergency, nor the service of any legally qualified physician or surgeon of this State.

Penalty.

8. Any person beginning the practice of midwifery in this State without first complying with the provisions of this act, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than ten nor more than fifty dollars, or by imprisonment in the county jail for not less than ten nor more than thirty days, or by both, at the discretion of the court.

Use of license fees.

9. The expenses of said board for the examination and licensing of candidates in midwifery shall be paid from the license fees above provided for, and if any surplus remains, the same may be distributed among the members of said board as compensation for their services; otherwise they shall receive no compensation whatever.

Repealer.

10. All acts or parts of acts inconsistent with the provisions of this supplementary act be and the same are hereby repealed.

In effect.

11. This act shall take effect July fourth, one thousand nine hundred and ten.

Approved April 12, 1910.

CHAPTER 281.

A Supplement to an act entitled "An act concerning District Courts (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:*

Service of state of demand.

1. The plaintiff may annex his state of demand to the summons or warrant and deliver to the officer by whom the process is to be served as many copies thereof as

there are defendants to be served, and such officer shall, without any additional fees therefor, serve a copy on each defendant at the same time process is served, and shall return said state of demand "served," adding the date of service, which return shall be prima facie proof of the service of the said state of demand and of any bill of particulars, statement or notice endorsed thereon or annexed thereto; and the plaintiff may add to or endorse upon his state of demand, a notice that he will demand trial upon the return day of process or the day set for trial, and in such case the trial shall not be adjourned except for good cause or by consent.

Endorsement.

2. The plaintiff in actions on contract wherein the matter in dispute as shown by the summons is over the sum of three hundred dollars, may likewise add to or endorse upon said state of demand, a notice to the defendant that the plaintiff demands that the defendant shall file a written specification of defenses intended to be made to said action on or before the time specified for appearance in the process or summons, or on the return of the warrant, or at the time of appearance specified in the recognizance, and thereupon the defendant shall specify such defenses in writing and file the same and serve a copy thereof upon the plaintiff or his attorney within such time, and shall at the trial be confined to the defenses so specified; and in case the defendant fails to comply with such demand and serve such copy within such time, he shall be barred from making any defense to said action; but the court, at or before the trial of the action, upon terms, may permit such defendant to file and serve, or amend such specifications.

May demand specification of defense.

May amend specification.

3. The granting, by a judge of a District Court, of a rule to show cause why a new trial should not be granted shall, unless expressly stipulated in the rule to show cause, be a waiver of any grounds for appeal existing in favor of the party obtaining such rule; and, so far as concerns the time within which an appeal may be taken, judgment shall not be considered as entered until such rule to show cause has been disposed of, if the courts shall so order.

Rule to show cause a waiver for appeal.

4. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 282.

An Act to amend "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 fourteenth, 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 said act be and the same is hereby amended to read as follows:

Insurance companies.

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

Fire.

I. Against loss or damage to property by fire, lightning or tempest on land;

Marine.

II. Upon vessels, freights, goods, moneys, effects, bottomry and respondentia interests, and every insurance appertaining to or connected with marine or inland risks of trasportation and navigation;

Life.

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

Accidents.

IV. Against bodily injury or death by accident, and upon the health of persons, 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 or 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;

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

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; Explosions.

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; Breaches of duty.

VIII. Against loss or damage on account of encumbrances upon or defects in titles to real property, and against loss by reason of the non-payment of principal and interest of bonds and mortgages. A company organized under this act, to transact the business authorized by this subdivision, shall have the right, 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; Titles. Rights of company.

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

X. Against loss by burglary or theft; Burglary.

XI. Against the breakage of glass; Glass.

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; Water.

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

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 subdivision first, third and fourth hereof. Stock or mutual plan.

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 April 12, 1910.

CHAPTER 283.

An Act to amend an act entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and material in erecting any building (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight, which act was approved April seventeenth, one thousand nine hundred and five.

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

Section 3 amended.

1. The third section of the act of which this is an amendment be and the same is hereby amended as follows:

In case of refusal of payment.

3. Whenever any master workman or contractor shall, upon demand, refuse to pay any person who may have furnished him materials used in the erection of any such house or other building, or any sub-contractor, journeyman or laborer employed by him in erecting or constructing any building, the money or wages due to him, it shall be the duty of such journeyman, laborer, materialman or sub-contractor to give notice in writing to the owner or owners of such building of such refusal, and of the amount due to him or them and so demanded, specifying said amount as nearly as possible, and the owner or owners of such building shall thereupon be authorized to retain the amount so due and claimed by such journeyman, laborer, materialman or sub-contractor out of the amount owing by him or them on the contract or that thereafter may become due from him or them on such contract for labor or materials used in the erection of such building, giving the master workman or contractor written notice of such notice and demand, and if the same be not paid or settled by said master workman or contractor, such owner or owners, on being satisfied of the correctness of said demand,

Notice of demand.

shall pay the same, and the receipt of such journeyman, laborer, materialman or sub-contractor for the same shall entitle such owner or owners to an allowance therefor in the settlement of accounts between him and such master workman or contractor, or his representatives or assigns, as so much paid on account. Payment and allowances in settlement.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 284.

A Supplement to an act entitled "An act to provide for the purchase of voting machine, and to regulate the use of the same at elections," approved April twenty-eighth, one thousand nine hundred and five (Laws 1905, page 386).

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

1. Whenever in any election held in any election district in this State, the voters of such election district shall have heretofore voted or shall hereafter vote "against the voting machine" in accordance with the provisions of Chapter 163 of the laws of the State of New Jersey, session of one thousand nine hundred and eight, the clerk of the municipality in which such election district is situate shall immediately forward the voting machine theretofore used in such election district, by freight, to the Secretary of State of the State of New Jersey at the Capitol, Trenton, New Jersey, and the Secretary of State shall not be required to relocate such machines so returned to his custody in any election district notwithstanding the act to which this is a supplement. Machines rejected by voters forwarded to Secretary of State. Not necessary to relocate such machines.

2. This act shall go into effect immediately.

Approved April 12, 1910.

CHAPTER 285.

An Act to amend an act entitled "An act concerning paid fire departments in certain municipalities of this State, and for the relief of members thereof, their widows, dependent parents and children," approved March twenty-eighth, one thousand nine hundred and five.

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

Section 6 amended.

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

Payments.

6. All moneys paid out of such pension fund shall be paid by the treasurer, upon warrants signed by the chairman of the board of trustees and countersigned by the secretary thereof; and no warrant shall be drawn except by the order of said board upon a yea and nay vote recorded in the minutes of said board; such board of trustees may deposit such fund in any of the banks or trust companies of such municipalities, and may invest the same in bonds secured by first mortgages on improved property worth at least twice the amount loaned, or in bonds of the United States, or of this State, or of any county, city, township or borough in this State; all income, interest or dividend which shall be paid or agreed to be paid on account of any loan or deposit shall belong to and constitute a part of said fund.

Investments.

Section 10 amended.

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

Sources of fund.

10. Such pension fund shall be provided and sustained as follows:

From insurance companies.

I. By one-half of the two per centum of the premiums for insurance effected in such municipalities by foreign insurance companies, which is now, by law, required

to be paid to local firemen's relief associations in such municipalities; and upon and after the creation of a pension fund, under and by virtue of this act, it shall be lawful for agents and brokers of such foreign insurance companies to and they shall pay said one per centum of the premiums received by them for insurance on property in such municipalities to the treasurer of the corporations herein authorized; and when it is so paid and taken for the uses of such pension fund it shall be taken and accepted in lieu and bar of any and all claims for relief which any member of said pension fund or his widow or children might have or may have had upon the local relief fund from thenceforth where and while there are other beneficiaries upon such local relief fund entitled to relief therefrom, except cases where such paid firemen may thereafter be injured or contract serious illness while doing actual fire duty, or any special or extra duty, upon which he may be detailed;

Fines.

II. By all fines, penalties and forfeitures assessed upon and collected from any officer or member of such fire department;

Rewards.

III. By all rewards, fees, gifts or emoluments paid or given for extraordinary services rendered by any officer or member of said fire department, except when the same is allowed by the board of fire commissioners or other municipal board having charge and control of the said department to be retained by such officer or member, or when the same is especially given to endow a medal or other competitive reward;

Donations.

IV. By all appropriations, donations, devises and bequests that may be given or made to such pension fund by any such municipality or other corporation or person;

Fees, sale of old property.

V. By all fees received for permits issued by such board of fire commissioners or municipal board, and the moneys obtained by the sale of old materials and property of such paid fire department other than real estate;

Chimney fires.

VI. By all fines that may be imposed upon persons whose chimneys are negligently set on fire;

Licenses from amusement places.

VII. By such license fee as is now or shall hereafter be imposed upon and collected by the municipality from

the owners or lessees of theatres and places known as nicoldromes, nicolettes, moving-picture shows, amusement parlors, circuses, exhibitions, and all like places of public amusement in such municipality for each performance therein, which shall be paid to the treasurer of such corporation for the benefit of such fund;

Tax on explosives.

VIII. By all taxes on the sale or storage of explosives as now or hereafter to be provided by the law of this State;

Assessments on firemen's salaries.

IX. If the amount of any such pension fund shall at any time be less than twenty thousand dollars, the board of trustees of any such corporation may assess and collect from each and every member of such department a sum not exceeding one per centum of his 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 made in manner and form as may be provided in the by-laws of the corporations; and it shall be lawful for any municipality in this State to pay to the board of trustees of any such corporation an amount equal to the one per centum of the salary of each and every member of such department whenever such municipality, through its common council or other governing body, may appropriate a sufficient amount for such purpose.

Section 11 amended.

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

Pensions, how paid.

11. Pensions shall be paid from such fund in the following manner:

Age and service.

I. In all municipalities of this State in which this act shall become operative, all members of such department who shall have honorably served therein twenty years and who shall have reached the age of sixty years shall, upon application to the board having charge of the fire department in such municipality, 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 member at the time of his retirement;

Incapacity through service.

II. If any officer or man permanently employed in such department, whose duty requires active service in the extinguishment of fires, shall have become or shall

hereafter become incapacitated, either mentally or physically, for the performance of such duty, whenever such incapacity is or shall be the result of injury received or sickness contracted while on duty, either in the performance or attempted performance of any duty connected with employment in such fire department, or in the performance or attempted performance of any extra or special duty upon which such officer or man may be detailed, he shall be retired by such board of fire commissioners or other municipal board having charge of such fire department, and shall thereupon be entitled to receive and shall receive annually from such pension fund an amount equal to one-half of the salary received by him at the time of his retirement; in all applications made under this paragraph, the officer or member applying for retirement shall furnish to the board of fire commissioners or other municipal board having charge of such fire department a certificate, signed by three practicing physicians of the municipality in which said fire department is located, one of whom shall be selected by the applicant, one by the board of fire commissioners or other municipal board having charge and control of such fire department, and the third by the board of trustees of the pension fund of said paid fire department, stating that, in their opinion, he is incapacitated, either mentally or physically, for the performance of his duty in such department, and which certificate shall further state how such incapacitation was brought about; and said certificate, when signed as above and containing the information above required, shall be conclusive proof to the said board of the incapacitation of such applicant;

Physicians' certificate as to incapacity.

III. If any officer or man permanently employed in any fire department in any said municipality shall be fatally injured while on duty, either in the performance or attempted performance of any duty connected with employment in such fire department, or in the performance or attempted performance of any extra or special duty upon which such officer or man may be detailed, or shall die as a direct result of sickness or illness contracted or incurred either in the performance or attempted performance of any such duty, the widow, if any there be, or, if there be no widow, then the child or

In case of death.

Pension to widow or children.

children of such deceased officer or man shall receive from such fund an annual pension equal to one-half of the salary received by such officer or man at the time of his death, to be paid in equal monthly installments to such widow during her widowhood; if such officer or man should not leave a widow, but shall leave a child or children, such pension shall be applied, under the direction of the board of trustees of said corporation, to the support of such child or children until they shall have attained the age of sixteen years; if such officer

When pension to parents.

or man shall not leave a widow or any children him then surviving, but shall leave a dependent parent or parents, to whom the said officer or man was the main support, such parent or parents shall receive from such fund an annual pension equal to one-half of the salary received by such officer or man at the time of his death, to be paid in equal monthly installments to such dependent parent or parents so long as they or either of them shall remain dependent;

If pensioner die, disposition of pension.

IV. When any officer or man in such department shall die after having been retired and pensioned, his widow shall receive from such fund an annual pension equal to the pension received by such officer or man at the time of his death, to be paid in equal monthly install-

Proviso.

ments to such widow during her widowhood; *provided, however,* that said widow had been married to such officer or man previous to the date of his retirement; if such officer or man shall not leave a widow, but shall leave a child or children, or should his widow remarry, such pension shall be applied, under the direction of the board of trustees of said pension fund, to the support of such child or children until they shall have attained the age of sixteen years; if such officer or man shall not leave a widow or any children him then surviving, but shall leave a parent or parents dependent upon him for support, such parent or parents shall receive from such fund an annual pension equal to the pension received by such officer or man at the time of his death, to be paid in equal monthly installments to such dependent parent or parents so long as they or either of them shall remain dependent.

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. Repealer.

Approved April 12, 1910.

CHAPTER 286.

A Further Supplement to an act entiled "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. Any person who shall knowingly or willfully aid or assist any person who shall commit the crime of treason, misprison of treason, murder, manslaughter or any crime denominated by any law of this State as a high misdemeanor to escape apprehension for said crime, whether any warrant shall have been issued for the apprehension of any such person or not, or who shall knowingly or willfully provide any such person with money, transportation, conveyance, place of abode, refuge, concealment, disguise, or aid or assist any such person in any manner whatsoever, for the purpose of preventing or hindering his apprehension, or who, being within the State of New Jersey, shall, for the purpose of preventing or hindering the apprehension of any such person, whether within this State or not, knowingly or willfully give false or untrue reports of, or refuse to reveal the place of abode, refuge, concealment or disguise of any such person, shall be guilty of misdemeanor; *provided,* that the provisions of this act shall not extend to the wife of the person attempting to escape apprehension for any crime punishable by the laws of this State. Penalty for aiding or concealing crime. Proviso.

2. This act shall take effect immediately.

Approved April 12, 1910.

New Jersey State Library

CHAPTER 287.

An Act authorizing the trustees for the support of public schools to convey to the State of New Jersey a tract of land known as "The Conover Farm," at Jamesburg, in the county of Middlesex.

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

Appropriation for conveyance of land at boys' home.

1. The trustees for the support of public schools are hereby authorized to make conveyance to the State of New Jersey, for the sum of thirteen thousand nine hundred and two dollars and thirty-one cents, of all that tract of land known as "The Conover Farm," situated adjacent to the State Home for Boys near Jamesburg, in the County of Middlesex, the consideration being the book value of the said tract as determined by the trustees for the support of public schools.

Settlement.

2. The Comptroller and the Treasurer are hereby authorized to execute and deliver to the trustees for the support of public schools the State's warrant for the payment of the sum named from any moneys in the State Treasury not now otherwise appropriated.

3. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 288.

An Act to provide for the creation of a department of wharves, docks and ferries, and the improvement, extension, alteration, maintenance, use, regulation and supervision of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors and harbor structures, in cities of this State, other than cities of the first class; and providing for the making and enforcement of rules and regulations in relation thereto, and fixing penalties for the violation thereof.

Preamble.

WHEREAS, The growing commerce of the Commonwealth of New Jersey and the substantial improvements being made by the government of the United States in the channel-ways of the rivers and harbors of said Commonwealth make it desirable to enlarge and extend the powers given cities of this State for the control and development of wharves, docks, ferries and harbors therein; therefore

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

Department of wharves, docks, and ferries created.

1. It shall be lawful in any city other than cities of the first class of this State for the common council, or other governing body thereof, to pass an ordinance or ordinances, and to alter, amend or repeal the same from time to time, providing for the creation of a department of wharves, docks and ferries, and the improvement, extension, alteration, maintenance, use, regulation and supervision of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors and harbor structures. Said ordinances may provide for the regulation, control and management of any such department through a committee on wharves, docks and ferries, to be appointed in any such city as the other committees of such common council or other governing body are

Management of department.

Director appointed by mayor.

appointed; and such ordinances may provide for the appointment by the mayor of said city of a director of wharves, docks and ferries, fixing his salary, term of office and duties.

Powers enumerated.

2. The department of wharves, docks and ferries created in any city of this State under this act shall have exclusive control and regulation of all wharves, piers, bulkheads, docks, slips, basins, ferries, harbors and harbor structures in such city, and shall also have exclusive control and supervision of the building, rebuilding, repairing, maintenance, extending, alteration and use thereof, and the cleaning, dredging and deepening necessary in and about the same. Such department

Surveys.

shall also have power to make surveys and soundings and to prepare plans therefrom and to keep records thereof, and to regulate, fix and establish bulkhead and pierhead lines and the distance between piers, subject to the regulation of the United States government, and also subject to the regulations and riparian lines fixed by the Riparian Commissioners of the State of New

Regulations.

Jersey. The said department shall also have power to adopt and promulgate rules and regulations for the construction, extension, alteration, improvement, repair and use of all wharves, piers, bulkheads, docks, slips, basins, ferries, harbors, and harbor structures, within the limits of said city, and to provide for the issuance of licenses and permits in relation thereto upon the payment of certain fees to be fixed, from time to time, by

Enforcement of laws.

such department. It shall be the duty of such department, through the director of wharves, docks and ferries, or otherwise, as shall be thought best by said department, to take the necessary action to enforce the laws of the State of New Jersey and the ordinances of any such city, and the rules and regulations promulgated by the said department thereunder, relating to wharves, piers, bulkheads, docks, slips, basins, ferries, harbors and harbor structures; and from time to time the said department shall make such recommendations to the common council or other governing body of any such city as to it shall seem proper for the improvement and development of the water-front and harbor facilities of any such city.

Penalty for non-compliance with rules, etc.

3. If any person or persons shall refuse or neglect to comply with the directions of the department herein provided for, in matters within the jurisdiction of such department, or shall knowingly fail to comply with the rules and regulations thereof, duly made, published and established as aforesaid, or if any person or persons whosoever shall obstruct or prevent the said director, or any other officer or employe of said department, in the execution of his duties, such person or persons aforesaid shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay, for each and every offense, a fine not exceeding three hundred dollars.

Control of property.

4. Such department shall have charge, control and supervision of all the wharf, pier and dock property belonging to any such city, including wharves, piers, bulkheads, docks, slips, basins, structures thereon and approaches thereto, with the appurtenances, easements, uses, reversions and rights belonging thereto, which are now or may hereafter be owned or possessed by any such city; and of the repairing, building, rebuilding, maintaining, altering and protecting the same, and of the cleaning, dredging and deepening in and around and about the same.

Acquire lands.

5. Such department shall have power and authority, after an appropriation has been made by the common council, or other governing body of any such city, of the money required therefor to acquire by purchase, in the name of and for the benefit of any such city, such unimproved marsh land or other land within any such city as may be thought advisable and for the best interests of said city; and, after the appropriation of the money required therefor, by the common council or other governing body thereof, to reclaim, fill in and improve any such land or lands, and to construct thereon wharves, piers, docks, slips, basins, and other similar structures, and to lease or rent the same from time to time, and the income or money obtained from any such lease shall be paid to the treasurer of said city. Such department shall also have power and authority, after the appropriation of the money required therefor by the common council or other governing body of such

Reclaim land.

Acquire docks, easements, etc.

city, to acquire by purchase or condemnation, in the name of and for the benefit of any such city, any land, wharf, pier, bulkhead, dock, slip, basin or other similar structure, and also all lands, property rights, easements and privileges within the limits of such city as may, in the opinion of said department, be required for the purposes of commerce and navigation.

Application to construct, alter, etc., wharf.

6. Whenever any person or persons, corporation or corporations, shall desire to construct, extend or alter any wharf, or other building in the nature of a wharf, or to erect, extend, alter or improve any other harbor structure, within the limits of any such city, such person or persons, corporation or corporations, shall make application to the said department, stating in writing the nature and extent of such intended wharf, other building aforesaid, or harbor structure, improvement, alteration or addition thereto, and file in the office of the said department plans and specifications showing fully the proposed erection, construction, extension, alteration or improvement, and produce their deed or deeds, or other evidences of title to the property to be so occupied, altered or improved; whereupon the department shall give notice of the time and place of hearing such application, to all parties interested, by advertising at least once a week for two successive weeks in two newspapers of general circulation published within the city within which such application is made, and by posting such notice upon the premises referred to in such application; and if the department, upon said hearing, shall approve the plans and specifications offered and such application, it shall give its assent and issue a license for the erection, construction, extension, alteration or improvement for which application shall have been made, and cause the same to be recorded in the office of the said department, in a book to be kept by it for that purpose, and such license shall not be unreasonably withheld.

Notice of hearing on application.

Hearing and action.

Penalty for acting without license.

7. If any person or persons, corporation or corporations, shall construct, alter or improve any wharf or building or harbor structure as aforesaid, within the limits of any such city, beyond low-water mark, without license or an order of court, as hereinafter provided,

first having been obtained, such wharf or building or harbor structure shall be deemed a public or common nuisance, and such person or persons shall be guilty of maintaining a nuisance, and, upon conviction, shall be sentenced to pay a fine of five hundred dollars, or suffer an imprisonment of six months, or either or both, according to the discretion of the court; and, where the said nuisance shall be in existence at the time of the conviction and sentence, it shall be lawful for the court, in its discretion, to direct either the defendant, or sheriff of the proper county, at the expense of the defendant, to abate the same; *provided*, that in all cases where any license or order has been or shall be given or made, permitting the erection, construction, extension, alteration or improvement of any wharf, building or harbor structure aforesaid, beyond low-water mark of the waterways, or any harbor structure within the limits of said city, the person or persons to whom such license or order has been or shall be granted shall, within six months from the date of said license or order, commence the work for which such license or order shall have been granted, and shall prosecute such work with due diligence to completion; otherwise said license or order shall become void; *provided further*, that all licenses granted or orders made for the erection, construction, extension, alteration or improvement aforesaid, prior to the passage of this act, shall be and become void within six months after this act shall take effect, unless said work shall have been begun thereon and shall be prosecuted with due diligence to completion.

Proviso.

Proviso.

8. Whenever the owner or owners or lessee or lessees of any private wharf, pier or bulkhead, within the limits of said city, shall fail to keep and maintain the adjoining dock or docks cleaned and free from obstructions, it shall be lawful for the said department, upon default for thirty days after the service of notice on such owner or owners, lessee or lessees, to clean or cause said dock or docks to be cleaned and freed from obstruction, and to apportion the expense thereof among the owner or owners, lessee or lessees, of the wharves, piers and bulkheads adjoining such dock or docks, in

As to private wharves.

proportion to the extent of their wharves, piers or bulkheads having the privilege of use of such dock or docks; and to collect the cost and expense of the same by filing liens therefor, and issuing process thereupon, as is provided by law in the case of liens filed for the removal of nuisances; and all liens filed to collect the expense of said work shall be filed by the city solicitor or city counsel, and the lien for said work shall have the same force and effect as liens for municipal work under existing laws.

Fix rates of wharfage, etc.

9. The department, after a hearing of the parties in interest, is authorized to regulate the service and to fix maximum rates for wharfage, cranage and dockage, whether the service is performed by the owners of said wharves, piers and docks or by said city.

Work done by contract.

10. Before the erection, construction, extension, alteration or improvement of the wharves, piers, bulkheads, docks, slips, basins or harbor structures, in and upon or about the property owned by said city, the department shall prepare full and minute plans and specifications for such work, and advertise for proposals for doing such work under said plans and according to such specifications, in the same manner as is prescribed by law for obtaining proposals and letting contracts for public works in said city.

Leases.

11. The department shall have power to lease, for a period not to exceed ten years, under such covenants and conditions as they may prescribe, storage facilities, wharves, piers, bulkheads, docks, slips and basins belonging to said city. All leases of public storage facilities, wharves, piers, bulkheads, docks, slips and basins shall be exposed to public sale, and sold to the highest bidder by public sale and vendue or outcry, at such place and time as the department may designate; and if no bid satisfactory to the said department is made at such sale, the department may, in the manner aforesaid, again expose the said lease or leases to public vendue or outcry; or the department may lease the same, for a term not exceeding one year, for such rent or rents as they may deem advisable. At least two weeks public notice of such sale or sales shall be given by advertising, at least twice a week for two successive weeks, in at

Disposed of at auction.

Notice of sale.

least two newspapers of general circulation, printed and published in the city in which the premises are situated. The term of any such lease so sold shall begin within twelve months from the date of such sale. The department may, in its discretion, require of the lessee or lessees a bond, with satisfactory surety, for the faithful performance of the conditions and covenants of said lease. The department shall have the power to permit the temporary use of any wharf, pier, bulkhead, dock or basin belonging to said city for landing purposes or the use thereof by any department of the city, State or United States.

Bond may be required.

Temporary use of docks.

12. The income to said city from all wharfage and storage rates, cranage, dockage and other charges, from all leases of lands, storage structures, wharves, piers, bulkheads, docks, slips and basins, shall be collected by the said department, and at once paid into the city treasury.

Income paid into city treasury.

13. Any person or persons aggrieved by any decision of the said department, either granting or refusing, in whole or in part, an application for a license to erect, construct, extend, alter or improve any wharf, pier or bulkhead, or other harbor structure, or as to any other matter or thing under this act, may, within thirty days after the date of the said decision, present a petition to the court of common pleas of the proper county, setting forth the facts of the case and the ground of the petitioner's complaint, and thereupon the said court, having first caused due notice of the presentation of the said petition, and of the time fixed for the hearing thereof, to be given to all persons whom they may deem legally interested therein, shall proceed to hear and determine the subject-matter of the said petition; and shall make such order in the premises as he may think the said department should have made, and the said order shall be final and conclusive. It shall be lawful for the said court to appoint a commissioner to take evidence to be used in the said hearing, and to make such order for the payment of the costs, by one of more of the parties to the proceedings, as justice may require.

On petition, court may review decision of department.

14. The common council or other governing body of any such city shall appropriate annually the funds

Appropriation for maintenance of department.

necessary for the maintenance and operation of the said department of wharves, docks and ferries, and, from time to time, such additional funds as may be necessary to carry out the purposes of this act.

Director to make annual report to mayor.

15. The director shall make an annual report to the mayor, at the close of each fiscal year, setting forth the amount of property owned, and the amount of property acquired during the year, and the price paid therefor; the condition of all storage facilities, wharves, piers, bulkheads, docks, slips and basins, and approaches thereto; the amount of money received from dockage, wharfage, storage, cranage and other services, itemized as to sources; an itemized account of the money expended for improvements and new construction, repairs, purchase of property, or for any other purpose; the number and names and addresses of all employes, and their respective salaries; the terms and conditions of all leases of storage facilities, wharves, piers, bulkheads, docks, slips, basins and ferries; the time of expiration of said leases and the amount paid therefor; and the number of ships, vessels and boats arriving and departing, their net and gross tonnage.

Land not to be taken for railroad or canal purposes.

16. None of the provisions of this act shall be construed to authorize the taking by condemnation of any lands or any improvements in connection therewith used for railroad or canal purposes.

Proviso.

17. This act shall be deemed a public act, and shall take effect immediately; *provided, however,* that this act shall not repeal or effect any other legislation or proceedings thereunder for the purposes herein set forth, but this act shall be deemed and is hereby declared to be additional legislation for such purposes.

Approved April 12, 1910.

CHAPTER 289.

A Supplement to the 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 niney-eight.

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

Court to determine validity of claim.

1. Upon application being made to the prerogative court, or any orphans' court, for an order to sell lands for the payment of debts of any decedent, the court shall have jurisdiction to consider and determine the validity of any claim or debt included by the applicant in the schedule or statement of the debts of any such decedent; and the determination and decree of said court shall be conclusive in such proceeding for sale of lands, but not otherwise; *provided,* objection in writing is filed by the executor or administrator of the deceased or by any person interested in said lands to the validity of any such claim or debt and the claimant has had ten days' notice of the filing of such objection; and *provided further,* if any claim or debt be disallowed in such proceeding and a judgment be thereafter obtained thereon in any court of competent jurisdiction, the same shall thereafter be duly allowed and received.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 290.

An Act to provide for a suitable representation of the State of New Jersey at the national encampment of the American Veterans of Foreign Service, to be held in the city of Jersey City, during the year nineteen hundred and ten, and making an appropriation for the expenses of each encampment.

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

State's representation.

1. The Governor is hereby authorized and requested to order a suitable representation of the State of New Jersey at the national encampment of the American Veterans of Foreign Service, to be held in the city of Jersey City, in the year nineteen hundred and ten.

Appropriation.

2. The sum of five hundred dollars is hereby appropriated out of any money in the treasury, not otherwise appropriated, for the proper and legitimate expenses attending the reception and entertainment of such representation and of such honorably discharged soldiers, sailors and marines who served in the Spanish-American war, as may attend, as delegates or otherwise, such national encampment.

Disbursements and report.

3. The sum hereby appropriated shall be paid to and be disbursed by the executive committee of Jersey City, having in charge such reception and entertainment, under such regulations as may be prescribed by the State Treasurer; within thirty days after the close of the encampment, the said executive committee shall make a verified report to the State Treasurer of the disbursements made by it, and shall return to the State Treasury the unexpended balance of any money drawn in pursuance of this act.

Obligations not to exceed appropriation.

4. No indebtedness or obligation shall be incurred under this act in excess of the appropriation herein made.

5. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 291.

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.

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

Care and maintenance of county buildings.

1. Whenever the court house or buildings erected in pursuance of the 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, shall be completed, and furnished ready for occupancy, after the beginning of any fiscal year, in any county of this State, and the board of chosen freeholders of such county shall not have made provision for the maintenance of such new building, in the annual tax levy or budget of appropriations made for the said fiscal year, it shall be lawful for such board of chosen freeholders to appoint such persons as they may deem proper for the care, maintenance and upkeep of such buildings and to fix their salaries and terms of office; and the said board are hereby authorized and empowered to issue temporary loan bonds, the proceeds of which shall be devoted to the payment of the salaries of such appointees for the then current fiscal year; and the amount of such bonds shall be placed in the tax levy for the ensuing fiscal year.

Temporary loan bonds.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 292.

An Act to amend an act entitled "An act concerning the government of certain cities in this State and constituting a municipal board of fire and police commissioners therein and defining the powers and duties of such board, and vesting in such board certain powers of management and appointment now vested in other departments or offices in such cities and providing for the maintenance of such board," approved April twelfth, one thousand nine hundred and seven.

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

Section amended.

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

Board of fire and police commissioners appointed by mayor.

1. In all cities in this State now or hereafter having within their territorial limits a population of not less than one hundred and ten thousand nor more than two hundred thousand inhabitants, according to the United States or State census, there shall be established a board of fire and police commissioners, which shall be invested with the powers and duties hereinafter set forth. In all cities now having such population the mayor thereof shall appoint, within one month after this act shall take effect (and in all cities which may hereafter have such population, according to the census of the United States or the State of New Jersey, the mayor thereof shall appoint, within one month after the official promulgation of the census showing that such city has the population aforesaid), four suitable persons, residents of such city, to be known as the board of fire and police commissioners, not more than two of whom shall be members of the same political party; two of whom shall be appointed to serve until the first

Number.

day of January next following such appointment, and two of whom shall be appointed to serve until the first day of January secondly following such appointment. On the first day of January next following such appointment, and on each succeeding first day of January thereafter, the mayor shall appoint two suitable persons, residents of such city, for the term of two years, to take the place of those members whose term shall then expire; not more than two of said board shall at any time be members of the same political party. The members of said board shall receive an annual salary of five hundred dollars, to be paid monthly in the same manner as provided by law for other city officers. Any vacancy in such board of fire and police commissioners shall be forthwith reported by the clerk thereof to said mayor, who shall, within thirty days thereafter, appoint a person to fill such vacancy for the unexpired term only. Each of the members of said board shall devote such time and attention to the faithful performance of the duties of his office as the affairs under the government, control and management of such board may require. The members of such board so appointed as aforesaid shall constitute and be called "The Board of Fire and Police Commissioners of the City of ....." (name of the city in and for which they are appointed). Each member of such board shall, within ten days after his appointment, qualify by taking and subscribing, before some person authorized to administer oaths, an oath or affirmation to faithfully discharge the duties of his office to the best of his skill and understanding, and also give bond to such city in the sum of five thousand dollars, to be approved as to form thereof by the city counsel of such city and as to the sufficiency thereof by the mayor of such city, for the faithful discharge of his official duties, which bond shall be filed in the office of the clerk of such city.

Terms.

Salary.

Vacancies.

Official title.

Oath.

Bond.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 293.

An Act to amend an act entitled "An act concerning the government of certain cities in this State, and constituting a board of finance therein, and defining the powers and duties of such boards, and vesting in such boards certain powers of management and appointment," approved April twelfth, one thousand nine hundred and seven.

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

Section amended.

1. That section one of the above-entitled act be amended so as to read as follows:

Board of finance appointed by mayor.

1. In all cities in this State now or hereafter having a population of not less than one hundred and ten thousand, nor more than two hundred thousand inhabitants, there shall be established a board of finance, which shall be invested with the powers and duties hereinafter set forth. In all cities now having such population the mayor thereof shall appoint within one month after this act shall take effect (and in all cities which may hereafter have such population the mayor thereof shall appoint within one month after the official promulgation of the census showing that such city has the population aforesaid) four suitable persons, residents of the city, to be known as the board of finance of such city, not more than two of whom shall be members of the same political party; two of whom shall be appointed to serve until the first day of January next following such appointment, and two of whom shall be appointed to serve until the first day of January secondly following such appointment. On the first day of January next following such appointments, and on each succeeding first day of January thereafter, the said mayor shall appoint two suitable persons, residents of such city, for the term of two years, to take the

Members; term.

place of those members whose term shall not expire; not more than two of same board shall at any time be members of the same political party. The members of said board shall receive an annual salary of five hundred dollars, to be paid monthly in the same manner as provided by law for other cities. Any vacancy in such board of finance shall be forthwith reported by the clerk thereof to said mayor, who shall, within thirty days thereafter, appoint a person to fill such vacancy for the unexpired term only. Each of the members of said board shall devote such time and attention to the faithful performance of the duties of his office as the affairs under the government, control and management of such board may require. The members of such board so appointed as aforesaid shall constitute and be called "The Board of Finance of the City of ....." (name of the city in and for which they are appointed). Each member of such board shall, within ten days after his appointment, qualify by taking and subscribing before some person authorized to administer oaths an oath or affirmation faithfully to discharge the duties of his office to the best of his skill and understanding, and also give bond to such city in the sum of ten thousand dollars, to be approved as to the form thereof by the city counsel of such city and as to the sufficiency thereof by the mayor of such city, for the faithful discharge of his official duties, which bond shall be filed in the office of the clerk of such city.

Salary.

Vacancies.

Official title.

Oath.

Bond.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 294.

An Act to amend an act entitled "An act concerning the government of certain cities in this State and constituting a municipal board of public works and other officers therein, and defining the powers and duties of such boards and relating to the municipal affairs and departments of such cities placed under the control and management of such board, and providing for the maintenance of said board," approved April thirteenth, one thousand nine hundred and seven.

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

Section amended.

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

Board of works appointed by mayor.

1. In all cities in this State, now or hereafter having within their territorial limits a population of not less than one hundred and ten thousand nor more than two hundred thousand inhabitants, according to the United States or State census, there shall be established a board of public works, which shall be invested with the powers and duties hereinafter set forth. In all cities now having such population the mayor thereof shall appoint, within one month after this act shall take effect (and in all cities which may hereafter have such population according to the census of the United States or the State of New Jersey, the mayor thereof shall appoint within one month after the official promulgation of the census shows that such city has the population aforesaid), four suitable persons, residents of such city, to be known as the board of public works, not more than two of whom shall be members of the same political party, two of whom shall be appointed to serve until the first day of January next following such

appointment, and two of whom shall be appointed to serve until the first day of January secondly following such appointment. On the first day of January next following such appointment, and each succeeding first day of January thereafter, the said mayor shall appoint two suitable persons, residents of such city, for the term of two years, to take the place of those members whose terms shall then expire; not more than two of said board shall at any time be members of the same political party. When the first day of January falls on Sunday these appointments shall be made the next day. Each of the members of the said board shall receive an annual salary of five hundred dollars, to be paid monthly, in the same manner as provided by law for other city officers.

Members; term.

Salary.

Any vacancy in such board of public works shall be forthwith reported by the clerk thereof to said mayor, who shall, within thirty days thereafter, appoint a person to fill such vacancy for the unexpired term only. Each of the members of said board shall devote such time and attention to the faithful performance of the duties of his office as the affairs under the government, control and management of such board so appointed as aforesaid. The members of such board so appointed as aforesaid shall constitute and be called "The Board of Public Works of the City of ....." (name of city in and for which they are appointed). Each member of such board shall, within ten days after his appointment, qualify by taking and subscribing, before some person authorized to administer oaths, an oath or affirmation faithfully to discharge the duties of his office to the best of his skill and understanding, and also give bond to such city in the sum of five thousand dollars, to be approved as to form thereof by the city counsel of such city, and as to the sufficiency thereof by the mayor of the city, for the faithful discharge of his official duties, which bond shall be filed in the office of the clerk of such city.

Vacancies.

Official title.

Oath.

Bond.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 295.

An Act providing for the licensing, regulation, conduct and operation of slaughter-houses, abattoirs or places where animals are slaughtered for sale for human food in the State of New Jersey, and providing penalties for the violation of the provisions of said act.

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

License to conduct slaughter-house.

1. No person or persons shall operate or conduct any slaughter-house, abattoir or place where animals are slaughtered for sale for human food unless a license has first been issued by the Board of Health of the State of New Jersey to the owner or owners, manager or operator of said slaughter-house, abattoir or place where animals are slaughtered for sale for human food, authorizing said person or persons to operate and conduct a slaughter-house, abattoir or place where animals are slaughtered for sale for human food, and no person shall conduct or operate, or continue to conduct or operate, any slaughter-house, abbattoir or place where animals are slaughtered for sale for human food, after the revocation of any such license, and the said board is hereby empowered to cause inspections to be made of every building and premises in or upon which animals are slaughtered for human food, and to grant licenses for the operation of the same when, in the judgment of the board, the business conducted in said buildings or upon said premises is managed in a sanitary manner, and in accordance with the requirements of law.

Rules and regulations.

2. Every license granted under the provisions of section one of this act shall be issued under such rules and regulations as the said board may establish, but no license shall be granted to conduct or operate a slaughter-house, abattoir or place where animals are

slaughtered for sale for human food, unless, in the judgment of the said State Board of Health, the said building is so located and constructed that the business of slaughtering animals can be there conducted in a cleanly manner, and without creating a nuisance.

Revocation of license.

3. Every license issued under the provisions of this act may be revoked by the Board of Health of the State of New Jersey if the provisions of this act or of an act entitled "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof" (Revision of 1907), approved May twentieth, one thousand nine hundred and seven, and the amendments thereof and supplements thereto, or rules and regulations established by the said board under authority herein contained, shall be violated; and every person who shall conduct or operate a slaughter-house, abattoir or place where animals are slaughtered for sale for human food, in violation of the provisions of this act or of an act entitled "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof" (Revision of 1907), approved May twentieth, one thousand nine hundred and seven, and the amendments thereof and supplements thereto, or in violation of the rules and regulations herein provided for, or who shall operate or conduct any such establishment without holding a license as herein specified, or who shall conduct or operate, or shall continue to conduct or operate, a slaughter-house, abattoir or place where animals are slaughtered for sale for human food, after revocation by said board of the license to conduct or operate the same, and after notice in writing of said revocation has been served on said person, shall, upon conviction thereof, be subject to a penalty of two hundred dollars.

Penalty.

Penalties; how recoverable.

4. All penalties prescribed by the provisions of this act shall be recovered in an action of debt by and in the name of the Board of Health of the State of New Jersey 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 plead-

ing 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 the act alleged to have been violated.

Execution after judgment.

5. When judgment shall be rendered against any defendant other than a body corporate execution shall be issued against his goods and chattels and body without any order of the court first had and obtained. If the officer executing any such writ shall be unable to find sufficient goods and chattels of said defendant in his bailiwick to make the amount of said judgment, he shall take the body of the said defendant and deliver him to the keep of the common jail of said county, there to be detained until discharged by the court in which said judgment was obtained, or by 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. In case judgment shall be rendered against a body corporate execution shall be issued against such body corporate as in other actions of debt. All penalties collected under this act shall be paid into the treasury of the State of New Jersey.

Injunction to restrain violation.

6. Whenever any person shall violate any of the provisions of this act it shall be lawful for the State Board of Health, 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 board 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, or 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.

7. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 296.

An Act to authorize cities to issue bonds to fund their floating indebtedness incurred for the maintenance and support of public schools.

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

Bond issue to fund floating indebtedness.

1. Whenever any city in this State shall have in good faith incurred indebtedness, commonly known as floating indebtedness, for the purpose of providing for the maintenance and support of public schools, it shall be lawful for, and the power is hereby expressly conferred upon, the common council, or other governing body of such city, to issue the corporate bonds of such city for the purpose of paying off such floating indebtedness, together with the interest accrued thereon. Such bonds shall be issued for a period not exceeding twenty years and shall bear interest not exceeding five per centum per annum; and such city shall in its annual tax levy raise sufficient money to pay the interest on said bonds, together with at least three and one-half per centum per annum to provide a sinking fund for the paying of said bonds at maturity.

Time.

Rate.

Final payment of bonds.

2. In lieu of providing for a sinking fund for the payment of such bonds at maturity, the bonds may be so issued that a stated amount of them in par value shall become payable in each year, beginning not more than five years from the date of their issue, and ending in not less than twenty years from such date; and in such case there shall be raised in each year such sums of money as may be necessary to pay the interest on all outstanding bonds and the principal of such bonds as may mature during that year.

3. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 297.

A Supplement to an act entitled "An act relating to, regulating and providing for the government of cities," approved April third, one thousand nine hundred and two.

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

Board to license stationary engineers.

1. In any city which has heretofore, or may hereafter, adopt the act to which this act is a supplement, the city council may by ordinance, from time to time, create a board for the examination of and the issuing of licenses to engineers having charge of high pressure steam boilers or steam plants located within such cities, which board shall consist of such number of persons appointed for such time or times as the city council may determine; the city council may by ordinance make such provisions as it may deem proper for the organization of such board, the qualifications, election or appointment and compensation of the members and officers thereof, the keeping of the records of said board, and rules and regulations governing such board, and may confer upon such board all such powers as the city council may deem necessary to secure an examination of all persons having charge of steam boilers or steam plants of a capacity exceeding fifteen horsepower, located within such city; to provide certificates or licenses, after successful examination, for all persons who may take charge of the same, which licenses may be for more than one class based upon the capacity of the boiler or plant of which charge is to be taken; to provide for license fees for such certificates and renewals thereof; to provide penalties for operating or taking charge of such steam boilers or plants without being so licensed; and such other requirements and conditions as city council may deem necessary to carry

Provisions governing board.

Class of licenses.

into effect the purposes of such ordinance. Said board, when so constituted, shall have power to make rules and regulations providing for such examinations; and may issue the licenses provided for by such ordinance which applicants may be entitled to from the result of such examinations as determined by such board; *provided,* that nothing herein shall apply to persons having charge of steam boilers used in engines operated upon railway lines not wholly within such city or upon steamboats or vessels.

Rules and regulations.

Proviso.

2. This act shall take effect immediately.

Approved April 11, 1910.

CHAPTER 298.

An Act giving consent to the Pennsylvania Tunnel and Terminal Railroad Company to lease its franchises, railroad and property to the Pennsylvania Railroad Company.

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

1. Consent is hereby given to the Pennsylvania Tunnel and Terminal Railroad Company to lease its franchises, railroad and property to The Pennsylvania Railroad Company, a duly constituted and existing railroad corporation of the State of Pennsylvania, for such time, and upon such terms and conditions as shall be agreed upon between the said companies and embodied in a contract of lease, which shall not take effect unless and until the same shall have been approved by the holders of at least two-thirds of the capital stock of said Pennsylvania Tunnel and Terminal Railroad Company, given either in writing or at a meeting of the stockholders thereof by vote, nor unless and until the said lease shall be submitted to and approved by the Board of Public Utility

State's consent to lease.

Commissioners for the State of New Jersey, nor unless and until said corporations shall file in the office of the Secretary of State a copy of said lease, and also an agreement to be approved by the Governor and Attorney-General, surrendering to the State all rights of exemption from taxation and all privileges and advantages arising from any alleged contract establishing any special mode of taxation in respect to such corporations, and agreeing further that such lease shall not in anywise affect or impair the right of the State to take the property of the parties thereto under any existing law of the State, and that any law affecting such parties shall be subject to alteration or repeal by the Legislature.

Tax exemptions waived.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 299.

An Act to amend "An act concerning the government of certain cities in this State and constituting a municipal board of public works and other officers therein, and defining the powers and duties of such boards and relating to the municipal affairs and departments of such cities placed under the control and management of such board, and providing for the maintenance of said board," approved April thirteenth, one thousand nine hundred and seven.

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

Section 2 amended.

1. The second section of the act referred to in the title hereof be and the same is hereby amended so as to read as follows:

Board of works; its duties.

2. The said board of public works shall be in the place of and be substituted for, and shall be invested

with all the powers and duties now vested in or exercised by any board of aldermen, common council or committee thereof, relating to and in respect of the management, control, maintenance and operations of the roads, streets, alleys and sewers and of the laying out and construction of roads, streets, alleys and sewers within such city; and it shall also have the charge, control and management of the construction and maintenance of lamps, wells, pumps, water works, and of the water-supply of such city, and of the distribution, sale and use of water therein, and also shall have the charge, control and management of the public buildings of such city, and the grounds contiguous thereto, except school buildings and buildings used in connection with the fire department, the police department and the department of charities and corrections, the board of health, and the library and park buildings.

Clerk of board to give notices.

Any notice required by existing law to be given by any city clerk in the course of any proceedings or work that shall or may be undertaken or done by said board of public works as provided for in this act, shall hereafter be given by the clerk of said board of public works exclusively, and any advertisement required to be given in the prosecution of any work or proceeding connected with any of the subject-matters of this act shall be made by said board of public works; and all applications or petitions for the doing of any public works in such city shall be made and addressed to said board, it being the intention of this act to entirely supersede the common council, board of aldermen or other governing bodies of such cities, or their power or authority thereunder in the several departments of streets, sewers and water works, and to place the same under the power, authority and control of the board of public works as herein provided for in the same manner and with like power and authority as the same are now vested in or under the authority or control of any such common council, board of aldermen or other governing body of such city, or their power or authority therein, and this act shall be so constructed. All the powers now vested in any such city, either by its charter or by general law, for the construction, opera-

Petitions addressed to board.

Powers concerning streets, sewers, water-supply vested in board.

tion, maintenance, and regulation of streets, sewers and public water-supply, including the power to make, alter and amend rules, regulations, resolutions and ordinances relating thereto, is hereby vested in said board of public works. For greater certainty it is hereby specified that, in addition to the other powers hereby conferred upon said board, are the following:

Powers enumerated.

Boundaries. To ascertain and establish the boundary lines of rivers and streams within such city.

Trees. To regulate the planting, rearing, trimming and preserving of ornamental and shade trees in the streets of the city.

Streets. To regulate the naming of streets, avenues and public places and the numbering of the houses and lots thereon.

Noises. To regulate and to prohibit advertising, ringing of bells in the streets and other noises in the streets and public places.

Street traffic. To regulate and control the use of the streets of such city by all persons and corporations; by the regulation of traffic by pedestrians, wagons, cars, motors and vehicles of all kinds; by the regulation or prohibition of the depositing of ashes, dirt, offal or garbage in such streets.

Obstructions. To prevent and remove obstructions and encumbrances in and upon any street.

Porch line. To regulate or prevent the erection or construction of any stoop, step, platform, sign or any other projection in, over or upon any such street.

Poles and wires. To regulate the erection of any post, pole, sign, or wire upon or through or across any such street.

Firearms. To regulate and prohibit the use of guns, pistols, firearms and fireworks of all descriptions within the city.

Flags. To regulate the exhibition of placards or flags in, across or over the streets.

Soft coal. To regulate and prohibit the use of soft coal in factories, power-houses and locomotives.

Lighting. To provide for lighting the streets and public places in such city with gas, electricity, oil or other illuminating substances.

Wells and pumps. To regulate or prohibit the use of wells, pumps and cisterns in public streets and public places.

To regulate or prohibit swimming or bathing in the waters in or bounding the city. Bathing.

To regulate weights and measures; to cause weights and measures to be examined by some person appointed for that purpose. Weights and measures.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 300.

An Act to amend an act entitled "An act concerning the militia of the State" (Revision of 1906), approved May sixteenth, one thousand nine hundred and six.

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

1. Section one hundred and twenty-three of the act referred to in the title of this act is hereby amended to read as follows: Section 123 amended.

123. When any portion of the National Guard shall be ordered by the division commander, with the approval of the commander-in-chief, to attend an encampment, or for active duty, there shall be paid to such officers and enlisted men as shall be present for duty under such order, in addition to the allowance of rations, the following sums each, for each day actually on duty: To all military band musicians, four dollars per day; field-music musicians, two dollars per day; to all corporals and privates, one dollar and fifty cents; to all company sergeants below first sergeant, one dollar and seventy-five cents; to all first sergeants and non-commissioned staff officers, two dollars; to all commissioned officers below the rank of captain, except when said officers are in command of companies, two dollars and fifty cents; to all captains and officers commanding companies, three dollars; to all field officers below the rank of colonel, except when in command of a regi- Pay when on duty.

ment or battalion, four dollars; to all commanding officers of regiment, or detached or separate battalions, five dollars; to the brigadier-generals, six dollars; to the major-general, eight dollars; to all staff officers, the same pay and allowance as are allowed to officers of equal grade in line; all mounted officers and all members of any troop or battery, mounted and equipped, shall be paid three dollars per day for each horse used by them. The Governor may, at his discretion, in lieu of pay at the rate fixed above, and in addition to the allowance for horses, order to be paid to officers and enlisted men of the National Guard on duty at camps of instruction, from funds drawn for the purpose from the War Department pursuant to section fourteen of the act of Congress of January twenty-first, one thousand nine hundred and three, at the rate allowed to officers and enlisted men of corresponding grades in the Regular Army; *provided, however,* that the pay of enlisted men shall not be less than that fixed at State rates.

Pay while in camp of instruction.

Proviso.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 301.

An Act to provide for certain street and sewer improvements in cities of this State, for the raising of funds for the payment thereof, and for the assessment of the benefits arising from such improvements upon lands and real estate in the vicinity benefited by reason thereof.

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

Definitions of terms.

1. The term "Board of Finance" wherever used in this act shall include the Board of Finance, Board of Aldermen, Common Council or other board or body in charge or control of the finances in any city; the term

"Board of Public Works" wherever used herein shall include the Board of Public Works, Common Council, or any other board or body charged with the construction, operation, maintenance and regulation of the streets and sewers in any city; the term "Board of Assessors" shall include the board or body or officers charged with the assessment of taxes in any city.

Appropriations.

2. It shall be lawful in any city of this State for the Board of Finance, from time to time, to appropriate and set apart such sums of money as in its judgment may be proper to be disbursed, applied and expended by the Board of Public Works in the grading, curbing, guttering, paving or repaving of any street or streets or portions thereof, or in the construction of sidewalks therein or in the construction of sewers or drains through any street or public place therein. The resolution appropriating any such money need not specify any particular streets or places in which any such improvement is to be made.

Bond issue.

3. The Board of Finance of any such city may obtain the money so appropriated for such purpose by the sale of bonds or certificates of indebtedness of the said city. The said bonds shall be known as Improvement Bonds and shall be payable at any time within ten years from the date of issuing the same, and shall draw such rate of interest not exceeding five per centum per annum and be of such denomination as the said Board of Finance of such city may determine. The said bonds shall be executed under the corporate seal of the said city and shall be signed by the Mayor, the Comptroller and City Clerk; said bonds may be either registered or coupon bonds, or registered and coupon bonds, and shall be sold at not less than par value either at public or private sale, as the said board may determine. The amount of bonds outstanding under the provisions of this act in any city shall never exceed two per centum of the taxable property therein as shown by the last preceding assessment.

Time.

Rate.

Amount.

Disposition of bonds and proceeds.

4. The said bonds may be authorized, sold and delivered at any time after the appropriation of such money by the Board of Finance and either before or after the work for which the money secured thereby

is to be paid is authorized by the Board of Public Works or is performed, or during the progress thereof. The proper financial officer of the city shall place the money obtained from the sale of any such bonds to the credit of the account to which it was appropriated. The Board of Finance at any time upon request of the Board of Public Works may transfer any money from one improvement account to another.

Use of money.

Upon the passage of a resolution by said Board of Finance appropriating any sum of money for any one or more of the purposes specified in section two of this act, the Board of Public Works shall thereupon be empowered to make such improvement in such streets or public places as they may determine, at a cost not to exceed the amount so appropriated. Such work may be done under the immediate supervision of said board or may be let out at contract to the lowest responsible bidder.

Notice of intention.

5. Before commencing any of the work authorized under this act the Board of Public Works shall give public notice, in the manner hereinafter specified, of its intention to do such work, at least ten days before any ordinance or resolution providing for the same shall be finally passed. At the meeting at which any such ordinance or resolution is introduced, or upon any other day fixed by said board, the said Board of Public Works shall give a public hearing to all persons interested or who may be desirous of being heard concerning the same.

Copy of ordinances and resolutions filed with collector.

6. Upon the passage of any ordinance or resolution by a Board of Public Works authorizing any such improvement, a copy thereof shall be filed with the Collecting Officer of the city, a summary of which shall be entered in a book, properly indexed, showing all contemplated street and sewer improvements in such city, which book shall be open to all persons making search for taxes and assessments.

Assessors to keep index of lot owners.

7. The Board of Assessors in any such city shall keep on file in its office a set of books or card index in which shall be kept the name and postoffice address of the owners of lots within said city. The owner of any lot of land lying within such city may file with such

Board of Assessors the postoffice address to which he desires any mail, with notice concerning any improvement contemplated by the said city or any bills for assessments of taxes, to be sent. The said board shall also make up, from any other information they may have, a list of the owners of lots in such city with the postoffice address of such owners and shall amend and correct the same from time to time.

Giving notices.

8. All public notices directed to be given by this act shall be published at least once in some newspaper printed and published within such city, and notice of such hearing shall be sent by mail to the postoffice address on file with the said Board of Assessors of the owner of each and every lot or parcel of land likely to be assessed for such improvement. The officer sending any such notice shall take and file with the City Clerk an affidavit showing the newspaper in which such notice was published and the persons and addresses to which same was sent. The notice given under this section shall be in lieu of any notice required by any other statute.

Assessors notified of completion of work.

9. After the completion of any work done under the provisions of this act the Board of Public Works shall notify the Board of Assessors in such city thereof and request that a proper assessment be made on any lands or real estate that may have been benefited or increased in value by such improvement.

Notice of hearing on benefits.

The said Board of Assessors shall thereupon examine the said work and view all lands and real estate in their judgment likely to be benefited by such improvement. Said board shall thereupon give public notice as directed by the provisions of this act of the time and place where they will hear any persons in interest who may present themselves to be heard concerning the benefits accruing to lands and real estate from such improvement. At such time and place, and at such time and places to which they may adjourn for that purpose, the said Board of Assessors shall attend and give a public hearing to all persons in interest who may desire to be heard. The said board shall have power to examine witnesses under oath, to be administered by any member, and shall use diligent efforts to ascertain the names

of the owners of any lands or real estate benefited by any such improvement.

Assess benefits.

After having given opportunity for a public hearing of the persons in interest and having viewed the premises likely to be benefited by such improvement, the said board shall assess upon each piece of land and real estate benefited by such improvement the amount of such benefits, and shall report the same in writing to the Board of Finance.

Report and map.

Such report shall be accompanied by a map prepared by the City Engineer, under the direction of said assessors, showing the lots or parcels of lands and real estate so assessed, and shall show the cost of the whole work, the expense connected therewith, the portion to be raised by taxation at large and the names of the owners of each lot or parcel of land so far as the same can be ascertained, with the assessment against each. The acts of a majority of such Board of Assessors under the provisions hereof shall be the acts of the board.

Bill of assessment.

10. When such assessment is completed and report thereof made to the Board of Finance, the said board shall cause the Tax Collector to send a bill by mail for the same to the owner of every lot assessed, and at the same time shall fix a day and place for the hearing of objections to such assessment. Upon each bill so mailed a notice of such hearing shall be endorsed.

Hearing.

After hearing the objections presented, if any, said Board of Finance may cause said assessment to be altered if, in their judgment, the same should be altered.

Confirmed report filed.

Upon confirmation by the Board of Finance the said report shall be filed in the office of the Tax Collector, and shall be payable within forty days after such confirmation without interest or penalty. After the due day so fixed a penalty in the form of interest shall be imposed at a rate to be fixed by the Board of Finance, which shall not be greater than the interest charged for the non-payment of yearly taxes.

Assessments levied in proportion to peculiar benefits.

11. All assessments levied under this act upon any lands or real estate for grading, paving or repaving of any street or portion thereof or for the construction of sewers or drains shall in each case be as near as may

be in proportion to the peculiar benefit, advantage or increase in value which the respective lots and parcels of land and real estate shall be deemed to receive by reason of any such improvement.

Sidewalks and curbing.

12. The whole cost of sidewalk improvements and all curbing and guttering necessary for the protection thereof may be assessed in proportion to the extent of the same bordering on the property improved.

Assessments for main and lateral sewers.

13. Whenever a main sewer or drain has been or hereafter shall be constructed by any city in this State, and the benefits of such main sewer are extended to other property by the building of lateral sewers or connections, there shall be assessed upon such property such portion of the cost and expense of such main sewer or drain as will equal the amount of benefits actually acquired by such property, which assessment may be made in connection with the assessment for such lateral sewer or as an independent assessment. Such assessment shall be levied and collected under the provisions of this act, and shall be paid into the Sinking Fund of such city to aid in the redemption of any bonds issued for the purpose of building such main sewer or any renewals thereof.

House connections.

14. In constructing sewers the said Board of Public Works may lay or cause to be laid the necessary house connections from such sewer to the curb line of any street in which the same is laid. In such case such work shall be specified in the ordinance or resolution providing for the construction of the sewer and a map showing such connections shall be prepared and exhibited at any hearing held by such board. The cost of such connections shall be assessed against the lot or plot benefited.

Assessments a lien.

15. All assessments made under the provisions of this act and interests and penalties thereon shall be and remain a first lien upon the lands and real estate affected thereby, notwithstanding any error or omission in stating the name or names of the owner or owners of any lot or parcel of such land and real estate, to the same extent as taxes and assessments are now a lien under the general laws of this State, and shall be collected in the same manner that assessments are now

collected under such laws; and in case of non-payment of such assessments the lands and real estate assessed therefor may be sold in the same manner provided for the sale of lands for the non-payment of assessments made under such laws.

Appeal from assessment.

16. Any owner of any property assessed under the provisions of this act may appeal from the said assessment to the Court of Common Pleas of the county wherein such city is located, by serving written notice of such appeal upon the Tax Collector within ten days of the approval of such assessment. 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 appellee, where notice of further proceedings may be served upon him. The

Hearing on appeal.

hearing upon 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. On such appeal said court shall determine if such assessment or any part thereof has been made according to law, 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 the 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 city.

Assessment paid under protest.

A property owner may pay his assessment pending appeal under protest, and in case his appeal is sustained the city shall return to him any excess to which he may be entitled.

Assessments paid in installments.

17. The Board of Finance may provide that any assessment may be payable in installments to be fixed by it, not exceeding in the whole ten years.

Sinking fund.

18. The assessments as collected shall be paid into the Sinking Fund of such city for the purpose of paying said bonds at maturity. In case the cost of any improvement shall exceed the amount of assessments charged against property benefited thereby the difference

shall be raised by general taxation, and the Board of Finance shall place in each annual tax levy a proportion of the amount so to be raised, and pay the same into such Sinking Fund in order that at the maturity of such series of bonds the said Sinking Fund shall contain sufficient funds to pay off said bonds.

Amounts to be raised reported yearly.

The City Comptroller shall, thirty days before the passage of each annual tax levy, file with the Clerk of the Board of Finance a report showing the cost of each improvement completed during the preceding year, the amount of the assessments therefor and the amount necessary to be raised each year by general taxation.

Oath and pay of assessors.

19. It shall not be necessary for the Board of Assessors to take any oath in proceeding under this act but they shall be considered as acting under the general oath of office taken by them. The Board of Finance may allow and cause to be paid to such Board of Assessors compensation for their services under this act in addition to that paid to them for their general services.

When member of board personally interested.

20. No action of any board of such city shall be invalidated by reason of the fact that any member should happen to be interested in any property affected, but a majority of the remaining members of any such board shall be binding as the act of such board.

General street improvement.

21. In case any city has temporarily improved streets thereof by macadam pavement, out of funds raised by general taxation, such city may likewise improve other streets without assessing for the same under the provisions of this act.

Damages deducted.

22. In case any improvement, such as grading of streets, or the like, should damage any property, the Board of Assessors shall deduct the amount of such damages from the amount assessed for benefits against the same.

Referendum.

23. This act shall take effect immediately, but its provisions shall remain inoperative in any city until assented to by a majority of the legal voters voting upon the proposition at an election to be held in such city at any time, to be fixed by the Board of Finance, of which election the clerk of such city shall cause public notice of the time and place of holding the same to be given

Notice of election.

by advertisements signed by himself and set up in at least twenty public places in such city for at least fifteen days previous to the time of such election; there shall be provided for each elector holding such election

Ballots.

ballots on which shall be printed the word "For" and the word "Against," above and immediately preceding the words, "The adoption of an act of the legislature passed in the year nineteen hundred and ten and entitled, 'An act to provide for certain street and sewer improvements in cities of this State, for the raising of funds for the payment thereof, and for the assessment of the benefits arising from such improvements upon lands and real estate in the vicinity benefited by reason thereof,'" and if the word "For" be marked off or defaced upon the ballot it shall be counted as a vote against the adoption 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 adoption of this act; and in case neither the word "For" nor the word "Against" be marked off or defaced upon the ballot it shall not be counted either as a vote for or against

Majority to determine.

the adoption of this act; and if a majority of the votes cast upon the proposition at such election shall be in favor of the adoption of this act, this act shall in all respects be and become operative in such city and binding on the inhabitants thereof and upon all persons and property to be affected thereby. The above proposition shall be submitted to the voters of such city at one of the annual elections held therein, and shall be conducted under the provisions of an act entitled, "An act to regulate elections" (Revision of 1898 and the various amendments thereof and supplements thereto).

Question voted on at general election.

The officers conducting the said election shall return to the clerk of such city a true and correct statement, in writing, under their hands, of the result of such election, and it shall be the duty of the said clerk to certify and report the same to the boards of said city to be affected thereby.

Approved April 12, 1910.

CHAPTER 302.

An Act concerning the compensation of the members of the board of aldermen and common council in cities of the first class.

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

Salary of alderman.

1. Each member of the board of aldermen or common council in cities of the first class may be paid an annual salary not to exceed five hundred dollars, payable monthly, to be fixed by resolution of the board of aldermen or common council.

Loan to meet deficiency.

2. Any deficiency in appropriation necessary to comply with the provisions of this act shall be provided by the board or body having charge and control of the finances of such city, by the issuance of temporary loan bonds, the payment whereof shall be provided for in the next tax levy.

Repealer.

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

Approved April 12, 1910.

CHAPTER 303.

An Act to empower municipalities to contract with the State Water-Supply Commission for a water-supply and raise and advance moneys for the purpose, and to empower the said commission to acquire lands, water rights and water-works and construct works necessary to furnish such supply and to sell water and water-power in this State.

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

Contract for water supply.

1. The State Water-Supply Commission may contract with any municipality or municipalities to provide the inhabitants thereof with water for public or private use, and the municipality or municipalities may enter into such contract in the manner and upon the terms hereinafter mentioned.

Request for water made to commission.

2. When any municipality or combination of municipalities may, by resolution, determine that it is in its or their interest to procure for itself or themselves from the commission a supply of water for public and private use, it or they may, by resolution, request the commission to prepare and submit maps, plans and specifications for furnishing such supply, together with an estimate of the probable cost of obtaining the necessary lands and water rights and the cost of construction, operation and maintenance of necessary works, and the municipality or combination of municipalities may, at the time of making such request, provide for the payment, out of any fund or balance not otherwise appropriated, of such sum as may be necessary to defray the expenses incurred by the commission in the preparation of such plans, maps and specifications. The commission may, by itself or its employes, enter upon any lands or water for making

Right of entry to make surveys.

surveys for its plans, doing, however, no unnecessary damage or injury to private property.

Storage and delivery of water.

3. When any contract shall be entered into, the commission may make and maintain such dams, reservoirs, waterways, pipe lines and other works which in its judgment may be needed for the storage of waters and the protection of the same from pollution by the construction of sewers or other means which may be necessary or advisable and the delivery thereof to the municipality or municipalities that may so contract or that may thereafter enter into contract for the delivery of water. It may purchase, and, if necessary, condemn lands and rights or interests in lands and water rights, and rights of flowage, which it may deem necessary for the establishment of the works to be built in accordance with the plans by it adopted, and may purchase or condemn the works and rights of any water company, if, in its judgment, the same be necessary to produce supplies for contracting municipalities.

Acquire water rights.

Construction work.

4. The commission may construct any dams, reservoirs or other works by it undertaken in accordance with this act over or under any water course, under or over or across or along any highway or quasi-public highway, and for that purpose may take lands, real estate, water rights or rights and interests in lands, and in case of public highways or other public or quasi-public structures may require the same to be abandoned as far as necessary for the purpose of said works and to be relaid, if necessary, by some other route or in some other location. Damages for the taking of such property, as well as the value of such property taken, shall be ascertained and paid for according to law. It may alter or change the grade of any highway or public street where necessary for its purpose. If it be necessary to change the location or gradient or the appurtenances thereof of any canal or railroad operated under a charter or certificate of incorporation, the corporation owning or operating the same shall be required to so relocate or change the same so far as needful and to acquire the property necessary for such change and if possible to agree with the commission upon the details thereof, the cost thereof to be paid as part of the ex-

Damages.

As to railroads and canals.

penses of said work. If the company be unable to agree with the owner of any lands, property or rights necessary to be acquired by it in order to make such change, the commission shall, for the benefit of the company, acquire the same by condemnation or otherwise.

Plans, maps, etc., filed with county clerk.

5. A copy of the plan of works, together with a map showing the lands to be taken, flowed or otherwise affected thereby and the area of any reservoir and the location of the dams, works, waterways and pipe lines to be constructed, shall be filed in the office of the county clerk of the county in which the same lie or are to be constructed.

Temporary money arrangements.

6. Any municipality entering into a contract for the purpose aforesaid may, by issuing its notes or temporary obligations, renewable from time to time until paid, or permanent bonds have been issued therefor, raise and pay over to the commission sums of money in the

Amount.

whole not to exceed thirty thousand dollars for each million of gallons of water for the minimum quantity contracted for to be delivered daily, which money shall be used by the commission for the purpose of acquiring lands and interests in lands for the reservoir or reservoirs to be built and for the construction of the same. For the retirement of such notes or temporary obligations the municipality may annually raise by tax such sum as it may deem proper or may issue permanent bonds, in which case it shall annually raise by tax sums sufficient to pay the interests thereon and retire

Bond issue.

the same at maturity. When the lands necessary for the reservoir or reservoirs have been obtained, the commission may issue and sell its bonds to raise money necessary to pay for the construction of the works in accordance with its plans and for the acquisition of riparian and water rights, and pledge as security for the payment of said bonds and the interest thereon all the property, real and personal, of the commission, and so much of its revenue as may remain to it after payment of the sums hereinafter directed to be made

Terms of bonds.

out of the same. Such bonds shall be of such denomination, time and rate of interest, not exceeding five per centum per annum, as the commission shall

determine, and in the aggregate shall not exceed six million dollars. They shall be sold at public sale at not less than par, with accrued interest. Total issue.

7. The commission shall fix such rates for the water by it delivered as shall, with its other revenues, produce a sum at least sufficient to meet the following payments which the commission shall make out of the same in the following order: First, the payment of interest on bonds. Second, interest at five per centum on the amount of money advanced by contracting municipalities. Third, one per centum annually on the amount of outstanding bonds for the creation of a sinking fund for their redemption. Fourth, the cost of operation and maintenance of the works. Fifth, one per centum annually on the amount of money advaced by the contracting municipality as a sinking fund for the repayment of such money. Sixth, one dollar for each million gallons furnished, to be paid to the State; *provided, however,* no payment shall be required except for the excess of the total quantity taken from this and any other source of supply, by any municipality, over a total quantity taken from this and any other source of supply, by any municipality, over a total amount equal to one hundred (100) gallons daily per capita for each inhabitant of the municipality supplied, as shown by the census of one thousand nine hundred and five; and, seventh, expenses incurred in making its works more efficient in supplying contracting municipalities. When in its judgment, regard being had for the interests of the State, the amount of its revenue shall warrant it in so doing, the commission may lower the rates at which it has contracted to deliver water. Rates for water. Sundry payments. Proviso.

8. The commission is hereby created a body corporate and as such shall be vested with the ownership of the property real and personal acquired by it, holding the same for the benefit of its successors or for the benefit of the State. It shall operate and maintain any works when completed. It may lease lands acquired by it for any purpose not inconsistent with the provisions of this act, subject to the right of flowage of the lands so leased by waters impounded Commission a body corporate. Duties.

To whom water sold.

by its works. It may sell the water impounded only to municipalities entering into contract as herein provided for for water supply purposes in the State of New Jersey and sell or lease power to be derived from the flow of water at or near any dam included in works built by it, and also sell or lease shore privileges or other rights upon, adjacent to or in connection with any reservoir. If the reservoir or reservoirs then built be insufficient to furnish a supply to any applying municipality, the commission may acquire, construct and maintain additional reservoirs and works, in respect to which the same rights and powers are hereby conferred on the municipality and commission as are hereinabove enumerated.

As to contracts.

9. No contract for work or supplies for sums in excess of five thousand dollars shall be made by the commission, unless bids therefor be first solicited by public advertisement.

Rules and regulations.

10. The commission may adopt all such reasonable rules and regulations not inconsistent with this act or the laws of this State for the use, protection, operation and management of its works, property and plant as may be prudent and necessary.

Repealer.

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

Approved April 12, 1910.

CHAPTER 304.

A Supplement to an act entitled "An act to establish a State Water-Supply Commission and to define its powers and duties, and the conditions under which the waters of this State may be diverted," approved June seventeenth, one thousand nine hundred and seven.

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

Jurisdiction.

1. The State Water-Supply Commission shall have the same jurisdiction and supervision over well, sub-surface or percolating water-supplies now or hereafter furnished to the inhabitants of any municipal corporation as it now has over surface water-supplies so furnished, except as such jurisdiction and supervision may be herein modified.

Approval of commission necessary to acquire water rights.

2. No municipal corporation, corporation or person now engaged in supplying or hereafter proposing to supply the inhabitants of any municipal corporation with water, either from surface, sub-surface, well or percolating sources, shall have power to condemn lands or water for or divert from any new or additional source of water-supply, until it shall have first submitted to the commission descriptions thereof, which may be accompanied by maps and plans, and the commission shall have approved the same. Nothing in this section shall restrict any municipality in acquiring by purchase or condemnation, any water-works supplying the municipality. Where any municipal corporation, corporation or person has already acquired lands or water and in good faith commenced the construction of works for a new or additional water-supply for the inhabitants of any municipality within the State, this section shall not apply to construction or lands or water necessary to complete the works, or put the same in

use if maps, plans and descriptions of the lands, works and water-supplies be filed with the commission within ninety days after the approval of this act. No municipality shall be deprived of its right to use and take the water which it now has the right to use or appropriate by purchase or condemnation.

Application for approval of plans.

3. Any municipal corporation, corporation or person may make application in writing to the commission for approval of its plans for obtaining a new or additional source of water-supply from surface or sub-surface, well or percolating source. The application shall show the sources of proposed supply, the approximate location of the proposed wells, reservoirs or other works, with their estimated capacities, an abstract of any official reports relating to the same, the need for an added supply, and the reasons for the choice made.

Sources shown.

Hearing.

The commission shall give notice, by advertisement in one or more newspapers published in the vicinity, of a public hearing, at which all persons or municipalities affected by the proposed plans may be heard for or against the granting of the application. After such hearing, the commission shall decide whether the plans proposed are justified by public necessity or reasonably anticipated use, and whether by taking waters necessary for this use they interfere unduly with the opportunity of other municipalities to obtain for themselves a water-supply, or whether the taking of sub-surface waters will unduly injure public or private interests. Within

Decision.

ninety days after receiving the application the commission shall, with all convenient speed, either approve or reject the same or approve it subject to such reasonable terms and conditions at is may prescribe. The decision upon any application shall be in writing, signed by at least a majority of the members of the commission, and shall be filed, together with the application and all plans, maps, surveys and other papers or records relating thereto, in its office. A copy of the decision, certified under the seal of the commission, shall be forthwith delivered to the applicant or his attorney or agent

Copy of decision in evidence.

named in the application and shall be evidence in all courts and places. The approval of the commission

State's assent.

shall constitute the State's assent to the diversion of

water either surface, sub-surface, well or percolating for use within the State, and the right to construct and operate the water-works in accordance with the terms of the decision and the plans filed therewith. The decision of the commission shall at all times be subject to review by the courts for reasonableness, legality and form.

Power to subpœna.

4. The commission shall have power to subpœna and require the attendance before it of witnesses, and the production of books and papers pertinent to the investigation and inquiries which it is by this act authorized to make, and to examine them or such public records as it shall require in relation thereto. In the event of any person or corporation refusing to obey said subpœna, he or it may be punished as for contempt of the Supreme Court on application by petition to a justice of said court.

Granting permission to exercise right of eminent domain.

5. Whenever application is made to the State Water-Supply Commission in conformity with this act or the act to which this act is a supplement, by any municipal corporation, or whenever any municipal corporation now legally engaged in diverting and supplying water, either surface, sub-surface, well or percolating, to the inhabitants of any municipal corporation shall request the commission by petition in writing for permission to exercise the right of eminent domain for the acquisition of the necessary lands and water rights, either in case of surface, sub-surface, well or percolating waters, for the purpose of diverting the same for the supply of the inhabitants of any municipal corporation, the commission may, in its discretion, grant such permission, first being satisfied that it is for the public interests so to do, and after such permission is granted the necessary lands, water rights and interests in lands and water rights affected may be condemned by the applicant in the manner now provided by law.

Expenses paid by municipality.

6. Where application is made to the State Water-Supply Commission for the institution of proceedings to acquire rights to divert in conformity with this act, all expenses of the State Water-Supply Commission in connection with such proceedings shall be paid by

the municipal corporation making the application; and in the case of surface water-supplies, payment to the State shall be made in conformity with the act to which this act is a supplement, but in case of condemnation of sub-surface, well or percolating supplies, there shall be charged by the State a fee of one dollar per million gallons from that portion of the supply for the acquisition of which the State's right of eminent domain is exercised for all water diverted, which charge shall be certified by the commission to the State Comptroller, and its collection enforced in the same manner as provided for in the act to which this act is a supplement in the case of charge for excess diversion for surface water-supplies.

State's fee.

Municipal reports to commission.

7. The commission shall have power to require annual reports from all municipal corporations, corporations or persons diverting water either from surface, sub-surface, well or percolating sources of from a combination of any such sources for water-supply purposes, as to the amount of water diverted by them, the proportional amount from each source the communities and populations supplied, the rates charged, and such other matter as shall be requisite to a proper supervision of the water-supplies of the State and the development and public use thereof. It shall be the duty of the officers in control of municipal or other water-works to keep accurate records, by meters or other approved methods, of the amount of water used, and to report the same quarter-yearly to said commission. The commission shall also have power to make such investigations of the meters and records of said corporation of the water diverted as may be necessary to determine all matters pertinent to their duties. It shall also have power to examine the plants and works of all public water-supplies in the State, to aid it in ascertaining the sources of the supply.

Quarterly reports of water used.

8. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 305.

An Act to amend an act entitled "An act relative to statutes," 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:*

1. Section three of the act entitled "An act relative to statutes," approved March twenty-seventh, one thousand eight hundred and seventy-four, be and the same is hereby amended so as to read as follows:

Section 3 amended.

3. The repeal of any statutory provision by this act, or by any act of the Legislature heretofore or hereafter passed, shall not affect or impair any act done or right or limitation vested or accrued, or any proceeding, suit or prosecution had or commenced in any civil cause before such repeal shall take effect; but every such act done, or right or limitation vested or accrued, or prosecution had or commenced, shall remain in full force and effect to all intents and purposes as if such statutory provision so repealed had remained in force, except that where the course of practice or procedure for the enforcement of a right, or the prosecution of a suit shall be changed, actions now pending, or hereafter commenced, shall be conducted as near as may be in accordance with such altered practice or procedure.

Actions already taken not affected by repeal of of statute.

2. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 306.

An Act to provide for a new publication of the public acts of the Legislature of this State.

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

Commission to compile statutes.

1. The Governor, Chancellor and Chief Justice are hereby appointed a commission and are authorized to enter into contract with competent parties skilled in the making of law books, to edit, compile and manufacture a complete compilation of all the public acts of the Legislature of this State to and including the acts of the legislative session of the year one thousand nine hundred and ten, which are general and permanent in their nature and which shall be in force at the end of the said legislative session of the year one thousand nine hundred and ten, together with abstracts of the decisions of the courts of this State expounding or construing the same.

Character of work.

2. The said work shall be furnished with a full and complete general index of its contents, and a list, alphabetically arranged, of the legislative acts passed since the year one thousand eight hundred and seventy-five not published in said work on account of their not being general and permanent in their nature, or not being in force at the end of the legislative session of the year one thousand nine hundred and ten, also a list of repealed acts; the said work shall be in such form and contain such other matter as said commission shall determine.

Appropriation.

3. The entire cost for editing and furnishing to the State of New Jersey five hundred sets of said work, well bound in American law buckram, shall not exceed the sum of thirty thousand dollars, no part of which sum shall be paid until the said five hundred sets are delivered to the State Custodian, and the delivery

thereof not to be later than the month of December, one thousand nine hundred and eleven, and thirty thousand dollars is hereby appropriated for the doing of said work out of any unexpended balances in the State Treasury.

Distribution.

4. Said five hundred sets are to be distributed in like manner as the law and equity reports of this State are now distributed, and one set to each member of the present Legislature.

Entitled.

5. Said work shall be entitled "Compiled Statutes of New Jersey," and shall declare on its title page that the statute laws of this State therein contained are published under the authority of the Legislature.

6. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 307.

An Act concerning an inventory and appraisal of railroad and canal property, including franchises, in the State of New Jersey.

Preamble.

WHEREAS, The appraisers authorized to be appointed by Joint Resolution No. 3, approved April fifth, one thousand nine hundred and nine, entitled "A joint resolution concerning an inventory and appraisal of railroad and canal property, including franchises, in the State of New Jersey," have been unable to complete the work of revaluation, inventory and appraisal authorized by said joint resolution within the time limited thereby;

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

State assessors to continue revaluation.

1. The State Board of Assessors are hereby authorized and instructed to continue the work of revaluation of all railroad and canal property in the State, real and personal, including separately the franchises, and of making a true and complete inventory and ap-

praisal of the true value thereof, in the form and manner authorized and directed by the said Joint Resolution No. 3, approved April fifth, one thousand nine hundred and nine. The State Board of Assessors, with the approval of the Governor, shall appoint one of the appraisers heretofore appointed under said Joint Resolution No. 3, expert in charge, with power to employ necessary assistants under him, such expert in charge to have complete authority in the conduct of the work, subject only to the approval of the board. The board shall have the powers and execute the duties prescribed as to the appraiser in said Joint Resolution No. 3, with the further powers and duties provided by this act.

Appraiser and assistants.

Powers conferred to secure proper performance of duties.

2. In addition to the powers and duties heretofore conferred by said Joint Resolution No. 3, the board, the expert in charge, and the assistants under him are hereby authorized at all reasonable hours to enter upon the property to be appraised and examine, inspect and appraise the same, and said board shall have power by subpœna, signed by its secretary, to subpœna and require the attendance in this State of witnesses and the production thereby of books and papers pertinent to the investigation and inquiry necessary to a proper performance of their duties, and to examine them and such records as they shall require in relation to any matter which they shall deem necessary to the performance of their duties under this act. 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 as a part of the necessary expenses of the board. Any disobedience to or neglect of any subpœna issued by the said secretary, or any refusal to testify, shall be certified, in writing, by the president of the board 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 before the court, and upon the production of the body of such person said court 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

Witness fees.

Enforcement of subpœna.

to the keeper of the common jail of said county, order the detention of such person in such common jail for such 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 who shall knowingly give false testimony before such board shall be guilty of a misdemeanor. No person shall be excused from testifying or from producing any books or papers before said board upon the ground that the testimony or evidence, books or documents required of him may tend to incriminate him or subject him to a penalty or forfeiture, but no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any act, transaction, matter or thing concerning which he shall under oath have testified or produced documentary evidence.

As to incriminating testimony.

3. For the purposes of this act the sum of one hundred thousand dollars is hereby appropriated.

Appropriation.

4. The work shall be completed and the report filed within one year from the date of the approval of this act.

Report.

5. This act shall take effect immediately.

Approved April 12, 1910.

CHAPTER 308.

An Act making appropriations for the support of the State government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and eleven.

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

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

Annual appropriations.

ending on the thirty-first day of October, in the year one thousand nine hundred and eleven, namely:

1.

EXECUTIVE DEPARTMENT.

Executive department.

For the Governor, for salary, ten thousand dollars;

For the secretary to the Governor, for salary, four thousand dollars;

For compensation for assistants in the executive department, four thousand three hundred dollars;

For blanks and stationery for the use of the executive department, eight hundred dollars;

For postage, expressage and other incidental expenses for the executive department, two thousand dollars.

2.

OFFICE OF THE COMPTROLLER.

Comptroller's office.

For the Comptroller, for salary, six thousand dollars;

For the Deputy Comptroller, for salary, three thousand six hundred dollars;

For compensation for clerical services and expenses, seven thousand one hundred dollars;

For blanks and stationery for use in the office of the Comptroller, one thousand dollars;

For postage, expressage and other incidental expenses for the Comptroller's office, fifteen hundred dollars.

3.

OFFICE OF THE TREASURER.

Treasurer's office.

For the Treasurer, for salary, six thousand dollars;

For compensation for clerical services in the office of the Treasurer, ten thousand five hundred dollars;

For additional allowance for clerical services in the office of the Treasurer, one thousand two hundred dollars;

For blanks and stationery for use in the office of the Treasurer, eight hundred dollars;

For postage, expressage and other incidental expenses for the office of the Treasurer, eight hundred and fifty dollars.

4.

OFFICE OF THE SECRETARY OF STATE.

Secretary of State.

For the Secretary of State, for salary, six thousand dollars;

For the Assistant Secretary of State, for salary, three thousand dollars;

For compensation for clerical services in the office of the Secretary of State, eleven thousand three hundred and fifty dollars;

For postage, expressage and other incidental expenses for the office of Secretary of State, two thousand five hundred dollars;

For blanks and stationery for use in the office of the Secretary of State, five thousand five hundred dollars;

For the purpose of compiling indices of wills, deeds and other records, in the general vault of the office of the Secretary of State, two thousand four hundred dollars;

For services and expenses for the purpose of carrying out the provisions of "An act respecting the recording of certificates and other papers relating to and affecting corporations," approved March twenty-eighth, one thousand nine hundred and four, three thousand five hundred dollars;

For the care, inspection and other expenses connected with voting machines, one thousand five hundred dollars.

5.

ATTORNEY-GENERAL'S DEPARTMENT.

Attorney-General's office.

For the Attorney-General, for salary, seven thousand dollars;

For the Assistant Attorney-General, for salary, five thousand dollars;

For compensation and expenses of assistants employed by the Attorney-General, eleven thousand seven hundred dollars;

For additional allowance for compensation and expenses of assistants employed by the Attorney-General, two thousand six hundred dollars;

For blanks and stationery for use in the office of the Attorney-General, six hundred dollars;

For postage, expressage and other incidental expenses for the Attorney-General's department, twelve hundred dollars;

For compensation and expenses of counsel employed by the Attorney-General in foreign States to collect taxes due from bankrupt and other insolvent corporations, one thousand three hundred dollars.

6.

STATE BOARD OF ASSESSORS.

State Assessors.

For the members of the State Board of Assessors, salaries, ten thousand dollars;

For secretary of the State Board of Assessors, for salary, two thousand five hundred dollars;

For compensation for clerical service in the office of the State Board of Assessors, eight thousand dollars;

For blanks and stationery for use in the office of the State Board of Assessors, nine hundred dollars;

For postage, expressage and other incidental expenses for the State Board of Assessors, nine hundred dollars;

For compensation of local assessors and witnesses, and compensation and expenses of surveyors, pursuant to chapter one hundred and one of the laws of one thousand eight hundred and eighty-four, six thousand six hundred dollars.

7.

DEPARTMENT OF BANKING AND INSURANCE.

Banking and insurance.

For the Commissioner of Banking and Insurance, for salary, six thousand dollars;

For the Deputy Commissioner of Banking and Insurance, for salary, two thousand five hundred dollars;

For compensation for assistants in the Department of Banking and Insurance, ten thousand dollars;

For blanks and stationery for use in the Department of Banking and Insurance, three thousand five hundred dollars;

For postage, expressage and other incidental expenses for the Department of Banking and Insurance, three thousand dollars;

For compensation of building and loan association examiners, fifteen thousand three hundred dollars;

For actual and necessary traveling and incidental personal expenses of building and loan association examiners, four thousand dollars;

For necessary appraisals of real estate and all other incidental expenses in connection with examinations of building and loan associations, five hundred dollars.

8.

BOARD OF EQUALIZATION OF TAXES.

Board of Equalization.

For salaries for president and four members, nineteen thousand dollars;

For salary of clerk, two thousand five hundred dollars;

For salary of assistant clerk, one thousand two hundred dollars;

For additional clerical services, six hundred and sixty dollars;

For blanks and stationery for use of the board of equalization of taxes, six hundred dollars;

For postage, expressage and other incidental expenses for the board of equalization of taxes, six hundred and fifty dollars.

9.

STATE LIBRARY.

State library.

For the Librarian, for salary, three thousand dollars;

For compensation for assistants in the State Library, two thousand four hundred dollars;

For additional allowance for compensation for assistants in the State Library, three hundred dollars;

For the repair, preservation and purchase of useful books for the State Library, three thousand five hundred dollars;

For blanks, stationery, postage, expressage and other incidental expenses for the State Library, five hundred dollars.

10.

STATE BOARD OF HEALTH.

State Board of Health.

For the State Board of Health, pursuant to the provisions of chapter sixty-eight, laws of one thousand eight hundred and eighty-seven, three thousand eight hundred and twenty-five dollars;

For compensation of assistants in the office of the State Board of Health, pursuant to said chapter, twelve thousand seven hundred and fifty dollars;

For additional allowance for compensation of assistants in the office of the State Board of Health, pursuant to said chapter, two thousand five hundred dollars;

For compensation to the secretary of said board, pursuant to said chapter, two thousand five hundred dollars;

For expenses to be incurred pursuant to chapter two hundred and twenty-five, laws of one thousand eight hundred and eighty-six, two thousand dollars;

For blanks and stationery for use in the office of State Board of Health, two thousand five hundred dollars;

For maintenance of the bacteriological laboratory, seven thousand dollars;

For postage required in sending to the physicians of this State the annual report of the State Board of Health and of the Bureau of Vital Statistics, four hundred and fifty dollars;

For the purpose of carrying into effect the provisions of "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to

prevent deception in the distribution and sales thereof," passed at the legislative session of one thousand nine hundred and seven, and "An act to prevent deception in the sale of oleomargarine, butterine or any imitation of dairy products, and to preserve the public health," pursuant to chapter eighty-four of the laws of one thousand eight hundred and eighty-six, twenty thousand dollars;

For the purpose of carrying into effect the provisions of chapter one hundred and thirty-nine, laws of one thousand nine hundred and six, eight thousand four hundred and fifty dollars;

For the purpose of carrying into effect the provisions of chapter seventy-two, laws of one thousand nine hundred, and the amendments and supplements thereto, twenty-one thousand dollars;

For salaries of members of the State Board of Health, pursuant to chapter two hundred and ninety-nine, laws of one thousand nine hundred and eight, seven thousand five hundred dollars.

II.

BUREAU OF STATISTICS.

Statistics.

For the chief of the Bureau of Statistics, for salary, two thousand five hundred dollars;

For the deputy chief of the Bureau of Statistics, for salary, two thousand dollars;

For the current expenses of the Bureau of Statistics, seven thousand dollars;

For blanks and stationery for use in the office of the Bureau of Statistics, five hundred dollars.

12.

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 for expenses to be incurred in carrying out the provisions of chapter three

hundred and thirty-nine of the laws of one thousand eight hundred and ninety-four, sixty-five thousand dollars;

For insurance upon State House and contents thereof, two thousand three hundred dollars;

To the State House Commission, for the purpose of acquiring by purchase or by condemnation in any lawful manner, and in the name of the State, lands in the city of Trenton, with buildings thereon erected, lying east of Delaware street, and between West State street and the Delaware river, and for any necessary alterations or furnishing of same, or for the destruction or removal thereof, as provided in chapter one hundred and thirty-seven of the laws of one thousand nine hundred and two, thirty-five thousand dollars.

13.

STATE MUSEUM.

Museum.

For Curator, for salary, one thousand five hundred dollars;

For the commission to acquire new material for the museum and for blanks, stationery and other incidental expenses, one thousand five hundred dollars.

14.

GEOLOGICAL SURVEY.

Geological survey.

For the State Geologist, for salary, four thousand dollars;

For services and expenses of the department of the geological survey, including the continuance of forestry investigations and expenses in connection with the publication of the reports and maps of the geological survey, twelve thousand five hundred dollars.

15.

SUPREME COURT.

Supreme Court.

For the Chief Justice and Associate Justices of the Supreme Court, for salaries, eighty-two thousand dollars;

For the judges of the Circuit Court, for salaries, fifty-two thousand five hundred dollars;

For compensation of sergeants-at-arms and criers, one thousand three hundred dollars;

For the payment of expenses incurred by the order of the Supreme Court pursuant to chapter one hundred and forty-nine of the laws of one thousand nine hundred, two thousand dollars;

For blanks and stationery for use of the Chief Justice and Associate Justices of the Supreme Court, and incidental expenses, four hundred dollars.

16.

OFFICE OF THE CLERK OF THE SUPREME COURT.

Clerk of Supreme Court.

For the Clerk of the Supreme Court, for salary, six thousand dollars;

For compensation for clerical service in the office of the Clerk of the Supreme Court, seventeen thousand one hundred dollars;

For additional allowance for compensation for clerical service in the office of the Clerk of the Supreme Court, nine hundred dollars;

For blanks and stationery for use in the office of the Clerk of the Supreme Court, one thousand five hundred dollars;

For postage, expressage and other incidental expenses for the office of the Clerk of the Supreme Court, one thousand seven hundred dollars.

17.

COURT OF CHANCERY.

Court of Chancery.

For the Chancellor, for salary, ten thousand dollars;

For the Vice Chancellors, for salaries, seventy thousand dollars;

For compensation of sergeants-at-arms and traveling expenses, five thousand three hundred and fifty dollars;

For compensation of stenographers, and for services pursuant to section one hundred and three of chapter

one hundred and fifty-eight, laws of one thousand nine hundred and two, fifteen thousand five hundred dollars;

For additional allowance for compensation of stenographers, and for services pursuant to section one hundred and three of chapter one hundred and fifty-eight, laws of one thousand nine hundred and two, two thousand dollars;

For compensation and allowance of Advisory Masters, three thousand two hundred and fifty dollars;

For rent of rooms in Atlantic City, Jersey City, Newark and Morristown, for the use of the Chancellor, Vice Chancellors and Advisory Masters, six thousand seven hundred and eighty-eight dollars;

For miscellaneous expenses in connection with such rooms, one hundred and fifty dollars;

For compensation of stenographer for the Chancellor, one thousand five hundred dollars;

For additional allowance for compensation of stenographer for the Chancellor, two hundred and fifty dollars;

For allowance for stationery for the Court of Chancery, seven hundred and fifty dollars.

18.

OFFICE OF CLERK IN CHANCERY.

Chancery office.

For the Clerk in Chancery, for salary, six thousand dollars;

For compensation for clerical service in the office of the Clerk in Chancery, twenty-four thousand five hundred dollars;

For additional allowance for compensation for clerical service in the office of the Clerk in Chancery, three thousand two hundred and two dollars;

For blanks and stationery for use in the office of the Clerk in Chancery, one thousand nine hundred dollars;

For postage, expressage and other incidental expenses for the office of the Clerk in Chancery, two thousand five hundred dollars.

19.

COURT OF ERRORS AND APPEALS.

Court of Errors.

For compensation of judges of the Court of Errors and Appeals, nineteen thousand dollars;

For additional salary for the Chancellor, Chief Justice and Associate Justices of the Supreme Court, ten thousand dollars;

For compensation of officers of the Court of Errors and Appeals, one thousand two hundred and fifty dollars;

For furnishing printed or typewritten copies of draft opinions under the direction of the presiding judge, one thousand dollars.

20.

COURT OF PARDONS.

Court of Pardons.

For compensation for judges of Court of Pardons, two thousand five hundred dollars;

For compensation of subordinate officers and incidental expenses, one thousand three hundred dollars.

21.

LAW AND EQUITY REPORTS.

Legal reports.

For the publication of the Chancery reports, seven thousand dollars;

For the publication of the law reports, four thousand dollars;

For salary of Chancery reporter, five hundred dollars;

For salary of Supreme Court reporter, five hundred dollars;

For binding Chancery and law reports, eight hundred dollars.

22.

NATIONAL GUARD.

Military.

For expenses for division, brigade and regimental headquarters, four thousand dollars;

For allowances for two batteries of artillery, two thousand dollars each, four thousand dollars;

For allowance for two troops of cavalry, at two thousand dollars each, including rent of armory, four thousand dollars;

For allowances for sixty companies of infantry, at five hundred dollars each, thirty thousand dollars;

For allowance for one signal and telegraph corps, two thousand dollars;

For transportation for battalion drills, inspections, parades, and for pay and expenses of inspecting officers, five thousand dollars;

For compensation of officers and employes, and expenses incurred in connection with rifle practice, nine thousand five hundred dollars;

For pay of officers and enlisted men, and expenses in connection with the annual encampment, sixty-two thousand dollars;

For compensation of the superintendent and employes, and for forage, fuel and maintenance of the State camp grounds, ten thousand dollars;

For fuel, light and maintenance of the State arsenal, one thousand five hundred dollars;

For expenses of military boards and courts-martial, one thousand five hundred dollars;

For transportation of disabled soldiers of the late rebellion and the Spanish-American war, fifty dollars;

For maintaining, heating and lighting armories at Jersey City, Camden, Newark (two), Patterson and Trenton, at four thousand five hundred dollars each, twenty-seven thousand dollars;

For maintaining, heating and lighting company armory at Somerville, two thousand dollars;

For insuring regimental armories, buildings at the State camp grounds at Sea Girt, the State arsenal and all public military stores, two thousand five hundred dollars;

For ordnance stores, uniforms, clothing, camp and garrison equipage, freight and expressage and miscellaneous supplies, eight thousand dollars;

For allowances for uniforms and equipments for officers of regiments, troops, batteries, companies, signal corps, and the naval reserve, as provided in section one hundred and twenty-seven of "An act concerning the militia of the State," approved May sixteenth, one thousand nine hundred and six, six thousand dollars;

For extraordinary repairs necessary for the preservation of the regimental armories, namely, first regiment, five thousand dollars; second regiment, one thousand seven hundred and fifty dollars; third regiment, fifteen thousand dollars; fourth regiment, fifteen thousand dollars; fifth regiment, four hundred dollars;

For pay of mechanics having charge of the care and preservation of three-inch field guns and equipment of batteries A and B, field artillery, at six hundred dollars each, one thousand two hundred dollars.

NAVAL RESERVE.

First battalion.

First battalion, in lieu of company allowances, one thousand five hundred dollars;

For battalion headquarters, three hundred dollars;

For pay of shipkeeper, maintenance and expenses, six thousand five hundred dollars;

For pay and expenses of officers and men on annual cruise, two thousand four hundred dollars;

Second battalion.

Second battalion, in lieu of company allowances, one thousand five hundred dollars;

For battalion headquarters, three hundred dollars;

For pay of shipkeeper, maintenance and expenses, six thousand five hundred dollars;

For pay and expenses of officers and men on annual cruise, two thousand four hundred dollars.

23.

ADJUTANT-GENERAL'S DEPARTMENT.

Adjutant-General's office.

For the Adjutant-General, for salary, two thousand five hundred dollars;

New Jersey State Library

For compensation for clerical service in the Adjutant-General's office, six thousand eight hundred and twenty dollars;

For additional allowance for compensation for clerical service in the Adjutant-General's office, six hundred dollars;

For blanks and stationery for use in the Adjutant-General's office, one thousand five hundred dollars;

For postage, expressage and other incidental expenses for the Adjutant-General's office, eight hundred dollars;

For annual dues to Interstate National Guard Association, for the year one thousand nine hundred and ten, fifty dollars;

For printing, binding and distributing the annual report of the proceedings of the department of New Jersey, Grand Army of the Republic, five hundred dollars;

For clerical services and expenses incident to the compilation of the roster of officers and enlisted men of New Jersey in the Revolutionary and other wars, at Trenton, New Jersey, and elsewhere, two thousand five hundred dollars;

For the purpose of carrying out the provisions of Joint Resolution number two, approved March seventeenth, one thousand nine hundred and nine, providing for the Civil War veteran medal, one hundred dollars.

24.

QUARTERMASTER-GENERAL'S DEPARTMENT.

Quartermaster-General's department.

For the Quartermaster-General, for salary, two thousand five hundred dollars;

For compensation for assistants in the department of the Quartermaster-General, namely:

For chief clerk, for salary, two thousand five hundred dollars;

For clerks, for salaries, one thousand eight hundred and fifty dollars.

For additional allowance for clerks, for salaries, one hundred and fifty dollars;

For military storekeeper, for salary, one thousand two hundred dollars;

For carpenter, machinist and to persons having in charge accoutrements, et cetera, cleaning arms, et cetera, teamster and laborer, for salaries, four thousand seven hundred fifty-four dollars and twenty-five cents;

For blanks and stationery for use in the Quartermaster-General's department, five hundred dollars;

For postage, expressage and other incidental expenses for the Quartermaster-General's department, four hundred and fifty dollars.

25.

MONMOUTH BATTLE MONUMENT.

Freehold monument.

For the commission having in charge the Monmouth battle monument and grounds, pursuant to chapter one hundred and eighteen of the laws of one thousand eight hundred and eighty-six, five hundred dollars.

26.

TRENTON BATTLE MONUMENT.

Trenton monument.

For the Trenton Battle Monument Association, for the purpose of keeping said property in good condition and repair, five hundred dollars.

27.

PENSIONS.

Pensions.

For amount required to pay pensions, pursuant to various acts relative thereto, irrespective of any provision 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, eight thousand and forty-four dollars.

28.

HOME FOR DISABLED SOLDIERS AT KEARNEY.

Kearney home.

For the support of the New Jersey Home for Disabled Soldiers at Kearney, and for the chaplain thereof, fifty thousand dollars.

29.

SOLDIERS' STATE PAY.

Civil War claims.

For claims of volunteers in the Civil War, for State pay, pursuant to chapter thirteen of the laws of one thousand eight hundred and sixty-one, one hundred dollars.

30.

WASHINGTON ASSOCIATION OF NEW JERSEY.

Morristown headquarters.

For trustees of the Washington Association of New Jersey, pursuant to chapter three hundred and nine, laws of one thousand eight hundred and seventy-four, twenty-five hundred dollars.

31.

STATE BOARD OF AGRICULTURE.

Board of Agriculture.

For the State Board of Agriculture, eight thousand dollars;

For the State Board of Agriculture, for the purpose of carrying out the provisions of an act to prevent the introduction into and spread of injurious insects in New Jersey, to provide a method for compelling their destruction, to create the office of State Entomologist, to authorize inspection of nurseries and to provide for certificates of inspection, five thousand dollars.

32.

TUBERCULOSIS COMMISSION.

Tuberculosis.

For expenses and payments by the State Tuberculosis Commission, twenty thousand dollars.

33.

AGRICULTURAL EXPERIMENT STATION.

Experiment station.

For salaries and expenses of the Agricultural Experiment Station, twenty thousand dollars;

For additional allowance for salaries and expenses of the Agricultural Experiment Station, two thousand five hundred dollars;

For printing bulletins of the Agricultural Experiment Station, two thousand dollars;

For expenses incurred by the New Jersey Agricultural Experiment Station in carrying out the provisions of "An act concerning the regulation of the sale of concentrated commercial feeding stuffs," three thousand dollars;

For the purpose of carrying out the provisions of "An act to provide for locating and abolishing mosquito-breeding salt-marsh areas within the State, for assistance in dealing with certain inland breeding places, and appropriating money to carry its provisions into effect," approved April twentieth, one thousand nine hundred and six, fifteen thousand dollars;

For scientific investigation of oyster propagation, pursuant to chapter one hundred and eighty-seven, laws of one thousand nine hundred and seven, three hundred dollars.

34.

BOARD OF VISITORS TO THE AGRICULTURAL COLLEGE OF NEW JERSEY.

Visitors to State College.

For the Board of Visitors to the Agricultural College of New Jersey, for personal expenses incurred pursuant to chapter three hundred and sixty-five of the laws of one thousand eight hundred and seventy-three, fifty dollars:

For advertising pursuant to chapter nine of the laws of one thousand eight hundred and seventy-nine, ninety dollars.

35.

STATE HOSPITALS.

State asylums.

For traveling expenses of managers, eight hundred dollars;

For expenses in transferring insane convicts, two hundred dollars;

For medical examination of insane convicts, three hundred dollars.

36.

STATE HOSPITAL AT TRENTON.

Trenton asylum.

For maintenance of county patients, at the rate of two dollars per week; for support and clothing of insane convicts, at the rate of five dollars per week for each insane convict; and support and clothing of indigent patients, at the rate of four dollars per week, one hundred and sixty thousand three hundred and twenty-eight dollars;

For salaries of officers, sixteen thousand six hundred dollars;

For appraisement of personal property, two hundred dollars;

For tuberculosis shack, three thousand five hundred dollars;

For hydro-thereaupeutic outfit, three thousand dollars;

For erection of a laundry building, sixteen thousand dollars;

For laundry machinery and equipment, fourteen thousand dollars.

37.

STATE HOSPITAL AT MORRIS PLAINS.

Morris Plains asylum.

For maintenance of county patients, at the rate of two dollars per week; for support and clothing of insane convicts, at the rate of five dollars per week for each insane convict; and support and clothing of indigent patients, at the rate of four dollars per week, three hundred and fifteen thousand dollars;

For salaries of officers, sixteen thousand and fifty dollars;

For additional allowance for salaries of officers, seven hundred and fifty dollars, said sum to apply only to the salaries of the six assistant physicians;

For appraisement of personal property, one hundred dollars.

38.

COUNTY LUNATIC ASYLUMS.

County asylums.

For the support of county patients in the Essex county lunatic asylum, one hundred and twenty-three thousand dollars;

In the Hudson county lunatic asylum, seventy thousand dollars;

In the Camden county lunatic asylum, twenty-three thousand five hundred dollars;

In the Burlington county lunatic asylum, sixteen thousand dollars;

In the Passaic county lunatic asylum, four thousand dollars;

In the Gloucester county lunatic asylum, one thousand dollars;

In the Cumberland county lunatic asylum, thirteen thousand dollars;

In the Salem county lunatic asylum, one thousand dollars;

In the Atlantic county lunatic asylum, nine thousand dollars.

39.

STATE PRISON.

State Prison.

For maintenance of convicts, one hundred and thirty thousand dollars;

For maintenance of principal keeper and resident physician, pursuant to chapters one hundred and sixty-three and two hundred and forty-four, of the laws of one thousand nine hundred and six, one thousand six hundred dollars;

For furniture, appliances and repairs of State Prison, ten thousand dollars;

For the principal keeper, for salary, three thousand five hundred dollars;

For the supervisor, for salary, three thousand dollars;

For the physicians, deputy keepers and employes, for salary, one hundred and twelve thousand dollars;

For the six inspectors, for salaries, three thousand dollars;

For the keeper, for payments to discharged convicts, two thousand five hundred dollars;

For teacher and moral instructor to the convicts in the State Prison, pursuant to section seven, chapter one hundred and fifty-five of the laws of one thousand eight hundred and seventy-six, for salary, one thousand dollars;

For traveling and other necessary expenses incurred by the parole agent, pursuant to chapter two hundred and thirty-two, laws of one thousand nine hundred and five, seven hundred dollars;

For maintenance of the electrocution plant, pursuant to the provisions of chapter seventy-nine, laws of one thousand nine hundred and six, and acts amendatory thereto, eight thousand dollars;

For the maintenance of a school in the State Prison, pursuant to chapter sixty-five, laws of one thousand nine hundred and seven, one thousand six hundred dollars.

40.

STATE HOME FOR BOYS.

Jamesburg school.

For the trustees of the New Jersey State Home for Boys, eighty thousand dollars;

For the trustees of said home, for expenses incurred by them in the discharge of their duties, five hundred dollars;

For repairs to the buildings and grounds, five thousand dollars.

41.

STATE HOME FOR GIRLS.

Girls' home.

For the trustees of the New Jersey State Home for Girls, for the support and necessary repairs to the home, seventy thousand dollars;

For the trustees of said home, for expenses incurred in the discharge of their duties, three hundred dollars;

For the salary of a probation officer, nine hundred dollars;

For traveling expenses of the probation officer, five hundred dollars;

For fire insurance premiums, seven hundred dollars and twenty cents.

For a hospital fund, six hundred dollars;

For a new bakery, five hundred dollars.

42.

PRESERVATION OF RECORDS.

For the purpose of publishing and completing the early records of this State, known as "New Jersey Archives," three thousand dollars. Archives.

43.

BOARD OF FISH AND GAME COMMISSIONERS.

For the fish and game wardens, including the fish and game protector, for compensation, fifteen thousand six hundred dollars; Disapproved.

For salary of secretary, one thousand eight hundred dollars; Secretary's salary. Disapproved.

For clerical services and incidental expenses, three thousand six hundred dollars;

For expenses of the fish and game wardens and fish and game protector, five thousand one hundred dollars; Disapproved.

For expenses of the fish and game commissioners, one thousand dollars; Expenses. Disapproved.

For printing game laws, license blanks, et cetera, one thousand dollars;

For expenses of operating, maintaining and repairing the steam launch "Protector," one thousand five hundred dollars. Launch.

44.

BLIND AND FEEBLE-MINDED.

For clothing, maintenance, support and instruction of the blind persons, inhabitants of this State, seventeen thousand five hundred dollars; Blind; feeble-minded.

For clothing, maintenance, support and instruction of the feeble-minded persons, inhabitants of this State, seventy-five thousand dollars;

For maintenance, support and instruction of feeble-minded women, fifty thousand dollars;

For erecting and equipping a new building for feeble-minded women, at the Home for the Care and Training of Feeble-Minded Women, Vineland, fifty thousand dollars.

45.

DEPARTMENT OF LABOR.

Labor bureau. For the commissioner, for salary, three thousand five hundred dollars;

For the assistant commissioner, for salary, two thousand dollars;

For thirteen inspectors, for salaries, nineteen thousand five hundred dollars;

For department clerks, for services, three thousand two hundred and fifty dollars;

For printing, postage, expressage and other incidental expenses, one thousand dollars;

For expenses of commissioner, assistant commissioner and inspectors, five thousand eight hundred and fifty dollars.

46.

STATE CHARITIES AID ASSOCIATION.

Charities' aid. For expenses of the association, pursuant to chapter one hundred and twenty, laws of one thousand eight hundred and ninety-two, six hundred dollars.

47.

STATE HORTICULTURAL SOCIETY.

Horticulture. To the treasurer of the New Jersey State Horticultural Society, pursuant to chapter seventy-eight, laws of one thousand eight hundred and ninety-nine, the sum of six hundred dollars.

48.

STATE OYSTER COMMISSION FOR THE DISTRICT OF OCEAN COUNTY.

Ocean county oyster district.

For the commissioners, for salaries, seven hundred and fifty dollars;

For the superintendent, for salary, one thousand dollars;

For patrol service, one thousand dollars;

For incidental expenses, four hundred and fifty dollars; *provided,* all bills are approved by the Governor; Proviso.

For office rent, fifty dollars.

49.

ADVERTISING.

Advertising.

For advertising proclamations issued by the Governor, notices of the Atorney-General in relation to delinquent miscellaneous corporations, and notices of the Comptroller in regard to public printing, et cetera, four thousand dollars.

50.

PRINTING.

Printing.

For printing and binding public documents, forty thousand dollars;

For compensation of an expert printer for services in preparation of specifications for bids, supervision of work, examination of bills, and such other duties as may by law be imposed upon him, six hundred dollars;

For additional allowance for compensation of an expert printer for services in preparation of specifications for bids, supervision of work, examination of bills, and such other duties as may by law be imposed upon him, three hundred dollars;

For preparing index of session laws, one hundred dollars;

For printing and circulation of the laws, six thousand dollars.

51.

PUBLIC ROADS.

Roads.

For public roads, three hundred thousand dollars;

For State Commissioner of Public Roads, for salary, five thousand dollars;

For compensation of supervisor for assisting the State Commissioner of Public Roads in supervising, constructing and performing such other duties as necessity may require, three thousand six hundred dollars;

For expenses for clerk hire, consulting engineer, fees, stationery and actual traveling expenses, seven thousand dollars.

52.

OFFICES OF THE STATE COMPTROLLER AND STATE TREASURER.

Receipts and disbursements.

For the purpose of carrying out the provisions of chapter two hundred and eighty-eight of the laws of one thousand nine hundred and seven, five thousand dollars.

53.

LEGISLATURE.

Legislature.

For compensation of Senators and members of the General Assembly, forty thousand eight hundred and thirty-three dollars and thirty-two cents;

For compensation of officers and employes of the Legislature, thirty thousand one hundred and fifty dollars;

For stationery for use of the legislative session, pursuant to chapter two hundred and eight of the laws of one thousand eight hundred and sixty-eight, four hundred dollars;

For manuals of the Legislature of New Jersey, two thousand dollars;

For indexing the journal of the Senate and minutes of the executive sessions and the minutes of the House

of Assembly, and other incidental and contingent expenses of the Legislature, seven thousand dollars;

For toilet and other necessary supplies for use at the legislative session, to be furnished by the State House Commission, eight hundred dollars.

54.

COLLATERAL INHERITANCE TAX.

Inheritance tax.

For surrogates' fees, appraisers' compensation and expenses, legal and other disbursements, and for the purpose of carrying out the provisions of the collateral inheritance laws, twenty-five thousand dollars.

55.

REFUNDING TAXES ON MISCELLANEOUS CORPORATIONS.

Refund taxes.

For taxes improperly levied upon or paid by corporations, to be refunded, pursuant to law, four hundred dollars.

56.

COMMISSION FOR AMELIORATING THE CONDITION OF THE BLIND.

Aiding the blind.

For the purpose of carrying out the provisions of chapter one hundred and thirty-six, laws of one thousand nine hundred and nine, five thousand dollars.

57.

PRACTICE TEACHING.

Practice teaching.

For extra compensation to the teachers in the various school districts in the State, for training the pupils in the State Normal School at Trenton in the art of teaching, five thousand dollars;

For extra compensation to the teachers in the various school districts in the State, for training the pupils in the State Normal School at Montclair in the art of teaching, six thousand dollars.

58.

BODIES THROWN UPON SHORES OF THE STATE BY SHIPWRECK.

Shipwrecked bodies.

For expenses incurred in viewing bodies cast upon shores by shipwreck, one hundred dollars.

59.

COURT EXPENSES.

Transferred suits.

For compensation of judges of the Court of Common Pleas, pursuant to section forty-nine, chapter one hundred and forty-nine of the laws of one thousand nine hundred, two thousand dollars.

60.

AGRICULTURAL COLLEGE FUND.

Agricultural college fund.

To the treasurer of Rutgers College, for interest on one hundred and sixteen thousand dollars, certificates of indebtedness of the State of New Jersey, due January first and July first, one thousand nine hundred and eleven, pursuant to the provisions of chapter one hundred and thirty-five of the laws of one thousand eight hundred and ninety-six, five thousand eight hundred dollars.

61.

RIPARIAN COMMISSION.

Riparian Commission.

For salaries of Riparian Commissioners, six thousand dollars;

For salaries and expenses incurred in the prosecution of the work of the commissioners, six thousand nine hundred and sixty-five dollars.

62.

OBSTRUCTIONS TO NAVIGATION.

Removing sunken vessels.

For expenses incurred in removing any boat, barge or scow stranded or sunk in any of the navigable rivers of this State, two hundred dollars.

63.

MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

Bordentown school.

For maintenance of the Manual Training and Industrial School for Colored Youth, eighteen thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

64.

NEW JERSEY SCHOOL FOR THE DEAF.

Deaf-Mute school.

For the New Jersey School for the Deaf, for the teaching, maintenance and clothing of pupils taught therein, for purchase and repair of furniture, school apparatus and other appliances, for making needed improvements and repairs in the buildings and grounds, for insurance thereof, and for maintaining the system of manual and industrial education in said school, forty-seven thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

65.

STATE NORMAL SCHOOL AT TRENTON.

Trenton Normal school.

For the support of the State Normal School at Trenton, sixty-one thousand dollars;

For necessary repairs to the grounds, buildings and furniture, and for keeping the same insured, eight thousand dollars; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

66.

FREE SCHOOL LIBRARIES.

School libraries.

For the formation of libraries in the free public schools of the State, six thousand dollars.

67.

FARNUM PREPARATORY SCHOOL.

Farnum school.

For the support of the Farnum Preparatory School at Beverly, two thousand five hundred dollars.

68.

INDUSTRIAL EDUCATION.

Manual training.

For payments to schools established for industrial education, pursuant to chapter seventy-eight, laws of one thousand nine hundred and nine, thirty thousand dollars;

For payments to schools for manual training, one hundred and ten thousand dollars.

69.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

Bureau of education.

For salary of State Superintendent of Public Instruction, five thousand dollars;

For salary of Assistant Superintendent and for clerical services in the office of State Superintendent of Public Instruction, eleven thousand seven hundred and fifty dollars;

For additional allowance for salary of Assistant Superintendent and for clerical services in the office of State Superintendent of Public Instruction, two thousand dollars;

For stationery and blanks, five thousand dollars;

For necessary incidental expenses incurred by the State Superintendent of Public Instruction in the per-

formance of his official duties, two thousand five hundred dollars;

For one thousand copies of the manual of the Legislature of New Jersey, as provided by chapter one hundred and nine, laws of one thousand nine hundred and four, one thousand dollars; *provided,* manuals are furnished schools not heretofore having received them, so far as possible, and all public schools be included in the distribution; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine. Legislative manuals for schools. Proviso.

70.

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, three thousand five hundred dollars. School fund.

71.

STATE BOARD OF EDUCATION.

For necessary expenses of the State Board of Education, three thousand dollars; State School Board.

For expenses of bureau of information for teachers and school officers, five hundred dollars.

72.

TEACHERS' INSTITUTES.

For expenses of teachers' institutes, two thousand dollars. Institutes.

73.

TEACHERS' LIBRARIES.

For the establishment and maintenance of libraries for use of teachers, three hundred dollars. Teachers' libraries.

74.

COUNTY SUPERINTENDENTS.

County superintendents. For county superintendents of schools, for salaries, forty-two thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

75.

EMERGENCY.

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 discretion, or of the attendance of the Governor and Governor-elect upon any conference of Governors, or for the payment of any part of the expenses incident to such conference, the sum of ten thousand dollars.

76.

STATE BOARD OF EXAMINERS.

Examinations. For expenses incurred by the State Board of Examiners and compensation for the person appointed by the State Board of Education, one thousand dollars.

77.

TABLET OR MONUMENT ON BATTLEGROUND OF CHESTNUT NECK.

Chestnut Neck monument. For the erection of a tablet or monument on the battleground of Chestnut Neck, in the State of New Jersey, pursuant to chapter seventy-six, laws of one thousand nine hundred and ten, five thousand dollars.

78.

NEW JERSEY HOME FOR DISABLED SOLDIERS, SAILORS, MARINES AND THEIR WIVES AND FOR THEIR WIDOWS, AT VINELAND.

Soldiers' home at Vineland.

For salary of commandant, one thousand five hundred dollars;

For salary of adjutant, one thousand dollars;

For salaries of assistants, nine thousand dollars;

For additional allowance for salaries of assistants, two thousand and four hundred dollars;

For maintenance and all other expenses, forty-eight thousand and fifty-two dollars;

For fire insurance premiums, two hundred and twenty dollars;

For traveling expenses of the Board of Managers, five hundred dollars;

For the erection of a new elevator, two thousand five hundred dollars.

79.

STATE OYSTER COMMISSION.

Oyster Commission.

For the better regulation and control of the taking, planting and cultivating of oysters on the lands lying under the tide waters of the Delaware river, Delaware bay, Maurice river cove and Raritan bay, in the State of New Jersey, thirteen thousand dollars;

For the protection of the natural seed oyster grounds on lands lying under the tidal waters of the Delaware river and Delaware bay, north of "southwest line," in the State of New Jersey, four thousand dollars;

For expenses of surveying and mapping lands to be leased for oyster culture under the tidal waters of the Delaware river, Delaware bay, Maurice river cove and Raritan bay, in the State of New Jersey, one thousand dollars;

For repairs to steam watch boat "Cypher," one thousand dollars.

80.

STATE BOARD OF CHILDREN'S GUARDIANS.

Children's guardians.

To the State Board of Children's Guardians, for expenses, twelve thousand eight hundred and fifty dollars.

81.

PUBLIC LIBRARY COMMISSION.

Library Commission.

For the purpose of carrying into effect the provisions of chapter sixty-two, laws of one thousand nine hundred; for clerical assistance, necessary traveling and other expenses incurred by the commission, and for carrying into effect the provisions of chapter one hundred and seventy-five, laws of one thousand eight hundred and ninety-eight, and its supplements, providing for the establishing and maintenance of a system of traveling libraries; and for the purpose of carrying into effect the provisions of chapter one hundred and fifteen, laws of one thousand nine hundred and six, five thousand nine hundred and fifty dollars.

82.

TEACHERS' RETIREMENT FUND.

Retirement fund.

For payment of expenses incurred in connection with the administration of the teachers' retirement fund, pursuant to chapter one hundred and thirty-nine, laws of one thousand nine hundred and seven, five thousand dollars.

83.

NEW JERSEY REFORMATORY.

Rahway reformatory.

For traveling and other official expenses of commissioners, one thousand dollars;

For the superintendent, for salary, three thousand five hundred dollars;

For the subordinate officers and employes, for salaries, sixty thousand dollars;

For maintenance, sixty-five thousand dollars;

For furniture, appliances and repairs (including industrial departments), and for raising and repairing of the roof on the tie-to building, and the construction of a well equipped tuberculosis pavilion on the top of the same, twenty thousand dollars;

For the superintendent, for payments to discharged inmates and recapturing escapes, three thousand dollars;

For traveling expenses of parole officers, two thousand dollars;

For fuel and water, fifteen thousand dollars;

For farm live stock, implements, etc., one thousand dollars;

For rent of house for superintendent, six hundred and sixty dollars;

For salary of parole officer, one thousand three hundred and eighty dollars;

For materials for the construction of a strong wall of inclosure, ten thousand dollars;

For materials for buildings for trade schools, ten thousand dollars.

84.

VILLAGE FOR EPILEPTICS.

Epileptic village.

For expenses of managers, six hundred dollars;

For the superintendent, for salary, two thousand five hundred dollars;

For the steward, for salary, two thousand dollars;

For the first assistant physician, for salary, one thousand five hundred dollars;

For the second assistant physician, for salary, one thousand two hundred dollars;

For the third assistant physician, for salary, one thousand dollars;

For maintenance, including fuel and light, eighty-five thousand dollars;

For repairs to buildings, eight thousand dollars;

For erecting two buildings for patients, sixty thousand dollars;

For erecting a hospital, thirty five thousand dollars;

For a water system, fifteen thousand dollars;

For erecting a poultry house, five hundred dollars;

For tuberculosis shack, two thousand five hundred dollars;

For erecting and equipping a building for feeble-minded men, forty-five thousand dollars.

85.

STATE AGRICULTURAL COLLEGE.

State 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 ninety of the laws of one thousand nine hundred and five, fifteen thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine;

For salaries, supplies and all other expenses for the maintenance of short courses in practical and scientific agriculture, pursuant to chapter fifty-five of the laws of one thousand nine hundred and five, and chapter forty-three of the laws of one thousand nine hundred and seven, sixteen thousand five hundred dollars;

For the purpose of carrying into effect the provisions of "An act to provide for the establishment of a course in practical and scientific instruction in the art of clay-working and ceramics in the State Agricultural College," approved March seventeenth, one thousand nine hundred and two, and a supplement approved March fourteenth, one thousand nine hundred and seven, being chapter seven, laws of one thousand nine hundred and seven, five thousand dollars;

For furnishing and equipment of a building known as the chemistry building at the State Agricultural College, pursuant to chapter twenty-four, laws of one thousand nine hundred and ten, twenty thousand dollars.

86.

BURIAL GROUNDS.

Cemeteries. For the care and maintenance of burial grounds purchased by the State, pursuant to chapter one hundred

and seventy-one, laws of one thousand eight hundred and ninety-eight, seventy-five dollars.

87.

STENOGRAPHIC REPORTERS.

County court stenographers.

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 eighty-one of the laws of one thousand nine hundred and one, eleven thousand six hundred and sixteen dollars.

88.

STATE SCHOOL TAX.

School tax.

For the purpose of reducing the State school tax to be assessed for the year one thousand nine hundred and eleven, one hundred thousand dollars.

89.

BUREAU OF SHELL FISHERIES.

Shell fisheries.

For the chief of the bureau, for salary, one thousand two hundred dollars;

For salary of stenographer, six hundred dollars;

For blanks, stationery and other incidental expenses six hundred dollars.

90.

SANATORIUM FOR TUBERCULOUS DISEASES.

Sanatorium.

For maintenance, eighty thousand dollars.

91.

INSPECTION OF POWER VESSELS.

Inland navigation.

For salary of chief inspector, six hundred dollars;

For expenses of chief inspector, three hundred and twenty-five dollars;

For salary and expenses of assistant inspector, five hundred and seventy-five dollars.

92.

TENEMENT HOUSE SUPERVISION.

Tenement house supervision.

For rent of offices, two thousand dollars;

For printing and stationery, two thousand dollars;

For clerical service and stenographer, three thousand dollars;

For salary of architect and plan examiner, one thousand eight hundred dollars;

For twenty-two inspectors, one thousand two hundred dollars each, twenty-six thousand four hundred dollars;

For assistant plan examiner, one thousand two hundred dollars;

For salary of chief clerk, one thousand two hundred dollars;

For salary of law clerk, one thousand two hundred dollars;

For salary of record clerk, one thousand two hundred dollars;

For salary of assistant record clerk, one thousand two hundred dollars;

For secretary and executive officer, three thousand dollars;

For incidentals, postage and expressage, one thousand dollars;

For inspectors' expenses, two thousand five hundred dollars;

For traveling expenses of executive officer and plan examiners, three hundred dollars;

For expenses of members of the Board of Tenement House Supervision, five hundred dollars;

For office furnishings and supplies, three hundred dollars.

93.

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 establishment

of evening schools for foreign-born residents in the State of New Jersey," approved April eleventh, one thousand nine hundred and seven, ten thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

94.

For the purpose of carrying out the provisions of a joint resolution entitled "Joint Resolution for the appointment of a commission to inquire into and report legislation upon the subject of an employers' liability act," one thousand three hundred dollars; provided said joint resolution becomes a law. Investigate liability legislation. Proviso.

95.

STATE OYSTER COMMISSION FOR THE DISTRICT OF ATLANTIC COUNTY.

For the commissioners, for salaries, nine hundred dollars; Atlantic county oyster district.

For the superintendent, for salary, one thousand dollars;

For patrol service, one thousand six hundred and eighty dollars;

For incidental expenses, two hundred and fifty dollars;

For surveys, one hundred and fifty dollars.

96.

DEPARTMENT OF CHARITIES AND CORRECTIONS.

For salary of commissioner, four thousand dollars; Charities and corrections.

For salary of assistant (architect), three thousand six hundred dollars;

For salary of draughtsman, two thousand five hundred dollars;

For allowance for clerical service, nine hundred dollars;

For additional allowance for clerical service, one hundred dollars;

For traveling expenses of commissioner and assistants, five hundred dollars;

For blanks, stationery, postage, et cetera, one thousand dollars;

For salary of person appointed to assist the commissioner, pursuant to chapter thirty-five, laws of one thousand nine hundred and ten, one thousand two hundred dollars.

97.

FOREST PARK RESERVATION COMMISSION.

Forestry Commission.

For the use of the State Board of Forest Park Reservation Commissioners, pursuant to chapter forty-seven, laws of one thousand nine hundred and five, including maintenance of State forest lands, seven thousand dollars;

For the use of the State Board of Forest Park Reservation Commissioners, for the purpose of carrying out the provisions of chapter one hundred and twenty-three, laws of one thousand nine hundred and six, six thousand dollars.

98.

STATE NORMAL SCHOOL AT MONTCLAIR.

Montclair Normal school.

For support of the State Normal School at Montclair, fifty-one thousand dollars;

For necessary improvements and repairs to the grounds, buildings and furniture, and for keeping the same insured, three thousand dollars; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

99.

HEALTH OFFICERS OF THE PORT OF PERTH AMBOY.

Port health officers.

For salary of the health officer of the port of Perth Amboy, pursuant to chapter three hundred and twenty-

eight, laws of one thousand nine hundred and six, one thousand dollars;

For salary of the deputy health officer of the port of Perth Amboy, pursuant to said chapter, two hundred and fifty dollars.

100.

COUNTY BOARDS OF TAXATION.

County tax boards.

For salaries of members of the county boards of taxation, ninety-three thousand dollars.

101.

SECRETARY OF STATE, DEPARTMENT OF MOTOR VEHICLE REGULATION AND REGISTRATION.

Motor vehicle department.

For salary for the Commissioner of Motor Vehicles, one thousand five hundred dollars;

For salary for the chief inspector, one thousand five hundred dollars;

For compensation for inspectors, six thousand dollars;

For additional allowance for compensation for inspectors, one thousand five hundred dollars;

For expenses and equipment of inspectors, three thousand five hundred dollars;

For compensation for clerical services, five thousand dollars;

For postage, expressage and other incidental expenses, three thousand dollars;

For blanks and stationery, two thousand five hundred dollars;

For the purchase and packing of identification marks and dies for use in connection with the same, twelve thousand dollars; 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 two hundred and thirty-five, laws of one thousand nine hundred and nine.

102.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Utilities Commission.

For salaries and expenses of the Board of Public Utility Commissioners, fifty thousand dollars.

103.

DEPARTMENT OF PUBLIC REPORTS.

Reports.

For salary of Commissioner of Public Reports, two thousand dollars;

For salary of clerk, six hundred dollars;

For blanks and stationery for use of the department, twenty-five dollars;

For postage, expressage and other incidental expenses for the department, twenty-five dollars.

104.

STATE WATER-SUPPLY COMMISSION.

Water-Supply Commission.

For salaries of commissioners, twelve thousand five hundred dollars;

For salary of secretary, two thousand five hundred dollars;

For salary of stenographer, blanks, stationery, postage and other incidental expenses of the commission, one thousand five hundred dollars;

For expenses incurred in connection with new or additional water supplies, two thousand dollars;

For engineers, inspectors, field work, et cetera, two thousand five hundred dollars.

105.

CIVIL SERVICE COMMISSION.

Civil service.

For salaries and expenses of the Civil Service Commission, twenty-five thousand dollars.

106.

DEPARTMENT OF INLAND WATERWAYS.

Inland waterways.

For the purpose of carrying out the provisions of chapter eighty-three, laws of one thousand nine hundred and eight, fifty thousand dollars;

For salary of the Commissioner of Inland Waterways, pursuant to chapter fifteen, laws of one thousand and eight, two thousand dollars.

107.

SUMMER COURSES, AGRICULTURAL COLLEGE.

Summer schools.

For the purpose of carrying out the provisions of chapter fifty-five, laws of one thousand nine hundred and eight, two thousand dollars.

108.

LIVE STOCK COMMISSION.

Live Stock Commission.

For the purpose of carrying out the provisions of chapter fifty-six and chapter two hundred and twelve, laws of one thousand nine hundred and eight, five thousand dollars.

109.

JUDICIAL RETIREMENT FUND.

Judges' pensions.

For the purpose of carrying out the provisions of chapter three hundred and thirteen, laws of one thousand nine hundred and eight, seven thousand dollars.

110.

DEPARTMENT OF ACCOUNTS.

State auditors.

For salary of Auditor of Accounts, three thousand dollars;

For salaries of three assistants, two thousand dollars each, six thousand dollars;

For salary of stenographer, six hundred dollars;

For traveling expenses of Auditor and three assistants, and incidental office expenses, one thousand dollars.

III.

COMMISSIONERS OF THE PALISADES INTERSTATE PARK.

Palisades Park Commission.

For carrying out the provisions of a bill pending entitled "An act making an appropriation for the use of the Commissioners of the Palisades Interstate Park in laying out and constructing a drive to be known as 'Henry Hudson Drive' along the Hudson river in the Palisades Interstate Park and in carrying out the purpose and intent of the law and the amendments and supplements thereof creating the said Palisades Interstate Park," provided said bill becomes a law, one hundred thousand dollars, to be payable only upon the certificate of the Governor that the State of New York has appropriated for the same purpose the amount mentioned in the preamble of said act, and the other gifts in connection therewith by private citizens had been made;

For expenses incurred by the Commissioners of the Palisades Interstate Park, three thousand dollars; said expenses to be approved by the Governor.

112.

Revaluation. Proviso.

For expenses and revaluation of all railroad and canal property in the State, fifty thousand dollars; provided an act authorizing same is passed by the present Legislature.

113.

ARMORY FOR BATTERY A, FIELD ARTILLERY, EAST ORANGE.

r construction of armory for battery A, field ar-y, East Orange, pursuant to chapter two hundred

and twenty-four, laws of one thousand nine hundred and nine, twenty-five thousand dollars.

114.

ARMORY FOR SECOND BATTALION, SECOND REGIMENT, ELIZABETH.

Elizabeth armory.

For the purpose of carrying out the provisions of a bill pending entitled "An act to authorize the acquisition of land and the erection of an armory thereon in the city of Elizabeth, county of Union, New Jersey," twenty-five thousand dollars; provided said bill becomes a law.

School system.

2. The following sum is hereby appropriated out of the income of the school fund for the purpose specified for the fiscal year ending on the thirty-first day of October, in the year one thousand nine hundred and eleven.

FREE PUBLIC SCHOOLS.

For the support of free public schools, two hundred thousand dollars;

There shall be paid from the income of the school fund such sums required to pay premiums and accrued interest on bonds purchased by the trustees for the support of public schools.

Approval of plans and contracts by Governor.

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 entire completion thereof shall, and each of them shall, be submitted to and approved by the Governor, 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 building, 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

If appropriation insufficient, to lapse.

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.

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, United States appropriation for disabled soldiers, United States appropriations for disabled soldiers, sailors, marines and their wives, Agricultural College Fund and taxes for the use of taxing districts in this State, moneys received pursuant to the laws relating to motor vehicles, 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, 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, nor of any payments into the State treasury by State institutions and commissions pursuant to an act entitled "An act regulating the receipt and disbursement of State moneys in certain cases," approved October thirty-first, one thousand nine hundred and seven (Chapter two hundred and eighty-eight, laws of one thousand nine hundred and seven), which moneys by the provisions of Chapter forty-one, laws of one thousand nine hundred and eight, are appropriated for the maintenance of said State institutions and commissions making such payments, but nothing herein shall be construed to apply to the payments into the State treasury by the State Reformatory and State Prison of the receipts for the labor of the inmates of those institutions.

Effective.

5. This act shall take effect on the first day of November, one thousand nine hundred and ten.

This act is approved this day, April twelfth, nineteen hundred and ten, except as to lines 1, 2, 4, 5, 6 and 8 in Item 43, which appropriations in said lines are disapproved. The reason for the disapproval of

these appropriations above indicated is that under Chapter 76, Laws of 1908, Chapter 243, Laws of 1908, and Chapter 270, Laws of 1909, or some of them, there are ample funds provided from the license fees collectable under said statute to cover all expenses of the Fish and Game Commission, which said funds are available in whole or in part for that purpose.

Approved April 12, 1910.

JOINT RESOLUTIONS

(605)

Joint Resolutions.

JOINT RESOLUTION NO. 1.

Joint Resolution in relation to the investigation of the question of Industrial Old-age Pensions.

Preamble.

WHEREAS, The limited time at the disposal of the present session of the General Assembly is insufficient to take up and fully consider the important subject of Industrial Old-age Pensions, which in other countries has proved of great value and benefit; and

WHEREAS, In the most favored countries the margin between work and want is an exceedingly narrow one, besides there can be no apprehension more keen or pitiless than the constant clinging dread shared equally by all wealth producers that misfortune in the form of sickness, the liability to become incapacitated through accident or by time's inevitable advance, accompanied by waning strength, there will be lacking the means necessary for ordinary maintenance. This most melancholy fact, of which all are conscious, poisons the present and fills the future with fears. The so-called civilized industrialism of our day can be subject to no stronger criticism than the charge fortified by universal experience that the men and women whose productive energy have contributed so much to our wealth, progress and development, leading simple, inexpensive lives, become in their declining years powerless, principally because they are penniless; and

WHEREAS, It should be the duty of the law-making power of the State to prevent and, so far as Legislative aid and encouragement can, to modify this deplorable state of affairs; therefore, be it

New Jersey State Library

Commission to plan industrial old-age pension.

RESOLVED, *By the House of Assembly, the Senate concurring herein,* That the Governor is hereby authorized to appoint a commission consisting of five representative men, who shall serve without remuneration, and whose duties shall be to thoroughly investigate and report to the Governor the draft of a bill providing a plan for Industrial Old-age Pension, for consideration and action by the members of the one hundred and thirty-fifth General Assembly.

Approved March 23, 1910.

JOINT RESOLUTION NO. 2.

Joint Resolution for the appointment of a commission to inquire into and report legislation upon the subject of an employers' liability act.

Preamble.

WHEREAS, The Governor in his Second Annual Message, recommended that a commission be appointed to consider the provisions of the employers' liability acts of Great Britain, Germany and other foreign countries, and to report to the next session of the Legislature a draft of an act with relation to compensation for accidents to employes; and

WHEREAS, There appears to be a general demand for reasonable statutory regulation as to employes and the modification of certain common law rules applicable to suits between employers and employes; and

WHEREAS, Both the employer and employe, as well as the State, are interested in the determination of these important questions; therefore

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

Commission to consider employers' liability acts.

1. The Governor of this State be and he is hereby authorized to appoint two persons who are representative of the labor interests of the State, two persons who are representative of the employers' interest of the State,

who, together with one member of the Senate and one member of the House of Assembly, to be named by the President of the Senate and the Speaker of the House of Assembly, respectively, shall constitute a commission authorized to make inquiry into the subject matter recited in the preamble of this resolution, and generally as to the legal relations now existing in this State between the employer and the employe.

Organization.

2. This commission, within thirty days after its appointment, shall organize by the selection of a president, and shall have authority to sit from time to time, either at the Capitol or other places in the State, and to consider, through public hearings or otherwise, the question referred to them, and they shall also consider the legislation and its results in the several states of the Union and foreign governments on the subject referred to them, and report to the next session of the Legislature, by a bill, such legislation as they would recommend to be enacted into law by the Legislature of this State, together with their reasons therefor.

Report.

Secretary.

3. They may also select a person to be secretary of said commission, either from their own number or otherwise, who shall receive such compensation as the commission may determine, not to exceed three hundred dollars.

Appropriation.

4. The said commissioners shall serve without compensation, but their actual expenses incident to the inquiry herein provided for shall be paid by the Treasurer of the State, upon the warrant of the Comptroller, upon vouchers duly approved and certified by the president thereof, out of any moneys appropriated for that purpose; and there is hereby appropriated the sum of one thousand dollars to cover the incidental expenses herein provided for.

5. This joint resolution shall take effect immediately.

Approved April 9, 1910.

PROCLAMATIONS.

(611)

Proclamations by the Governor.

THANKSGIVING PROCLAMATION.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

"The Lord is in His Holy Temple. Enter into his gates with thanksgiving and into his courts with praise".

Annually the people of this Republic gather on a definite date to acknowledge the goodness of the God of our Fathers, and our God, in his providence toward us. This is seemly and but His due.

The citizens of our State have much for which to be thankful. Ours is a State of marked natural, industrial and locational advantages. Our educational opportunities are exceptional; our transportation facilities unusually adequate; our industries prosperous; our homes happy, and our people healthy, comfortable and contented. We have sufficient for our necessities, and even the luxuries of life are found on every hand. We are blessed with a civilization that assures liberty of person and security of property, under a written Constitution and the laws of the land. Surely our "cup runneth over".

Now, therefore, I, John Franklin Fort, Governor of the State of New Jersey by the grace of the suffrages of my fellow-citizens, to whom I am grateful, do hereby fix Thursday the twenty-fifth day of November, 1909, as a day of general thanksgiving and prayer, and do recommend that all the people upon that day desist from all business and gather in their respective churches, and other places of public worship, and there acknowledge their obligations to Almighty God, the Father of all mercies, for the bountiful blessings which he has bestowed upon us.

Given under my hand and the great seal of the State at the Executive Chamber in the City of Trenton, this Twelfth day of November in the year of our [GREAT SEAL] Lord, one thousand nine hundred and nine, and of the Independence of the United States the one hundred and thirty-fourth.

JOHN FRANKLIN FORT.

By the Governor:

S. D. DICKINSON,
Secretary of State.

Endorsed:

"Filed Nov. 12, 1909.
S. D. DICKINSON,
Secretary of State."

PROCLAMATION BY THE GOVERNOR.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, the Comptroller did, on the third day of January, nineteen hundred and ten, under the provisions of 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 18, 1884," which supplementary act was approved June 3, 1905, 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 nineteen hundred and seven, 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 repealed and all powers conferred by law upon such corporations declared in-

operative 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; now

THEREFORE, I, John Franklin Fort, Governor of the State of New Jersey, pursuant to the provisions of said act of the Legislature, do hereby issue this my proclamation that the charters of the following-named corporations so reported and in default, to wit:

MISCELLANEOUS CORPORATIONS, UNPAID TAXES FOR 1907.

A. A. Smith Company,
Abraham White Realty and Improvement Corporation,
Acme Carbon Paper Company,
Acme Grocery Company,
Adams and Keen Company,
Advance Anti-friction Company,
Advanced Merchandise Company,
Afro-American Land and Improvement Company, of Long Branch, New Jersey,
Aitken Light Car Company,
A. J. Bozarth Company,
Alabama Agricultural Company,
Alaga Asbestos Company,
Alaska and Siberia Commercial Company,
Alaska Smelting and Refining Company,
Albert Seitz and Son,
Albion-Bangor Slate Company,
Albo-Carbon Light Company,
Alderson Leather Company,
Allegheny Motor Vehicle Company,
Alleman Law Company,
Allens, Incorporated,
Allerton Company,
Amarillo Company,
A. Mark Harris Industrial Company,
Amboy Realty and Construction Company,
America-Portugal Company,

American Art Reproduction Company,
American Baxeres Manufacturing Company,
American Boiler Flue Cleaner Company,
American Compressed Air Motor Manufacturing Company,
American Copper Company,
American Cotton Yarn Exchange,
American Cushion Elbow Company,
American Electric Company,
American Engineering and Construction Company,
American Fibre Leather Company,
American Filtration Company,
American Formaldehyde Company,
American Guaranty Company,
American Haiti Company,
American Immigration Company,
American Lactayne Company,
American Manganese Mining and Manufacturing Company,
American Medical Service Company,
American, Mexican, West Indian, African and Oriental Trading Company,
American Mutual Newspaper Association,
American Newspaper Association,
American Peat Coal Company,
American Pharmaceutical Company, of Philadelphia,
American Product Company,
American Realty Company,
American Rolling and Forge Company,
American Sandwich Company,
American Securities Company,
American Smoke and Fume Condensing Company,
American Soap Company,
American Solderless Can Company,
American Stark System,
American Typographic Corporation,
American Wave Power Company,
Anchor Glass Company,
Andersen Coal Mining Company,
Anderson Manufacturing Company,
Anglo-American Press Association of New York and London,

Apex Cutlery Company,
Apollo Company,
Aquious Vapor Evaporative and Surface Condenser Company,
Aragon Hotel and Realty Company, of Asbury Park,
Arapahoe Gold Fields Company,
Arcas-Arenas Guano Company,
Arc Sign Company,
Arena Company,
Ariel Company,
Arizona Mining Company,
Army and Navy Press,
Arrow Head Tile Company,
Arsenical Ore Reduction Company,
Artificial Gas and By-Product Company,
Art Village Improvement Association,
Arvernum Springs Company,
Astor Company,
Asphalt Grille Paving Company,
Associated Traders,
Atlantic Automobile Company and Machine Works,
Atlantic Brick and Ballast Company,
Atlantic Candy Manufacturing Company,
Atlantic City Light and Equipment Company,
Atlantic City Industrial and Improvement Company,
Atlantic Coast Novelty Company,
Atlantic County Game Preserve Association,
Atlantic District Telegraph Company,
Atlantic Grocery Company,
Atlantic Metal and Supply Company,
Atlantic and Pacific Copper Mining Company,
Atlantic Refrigerating Machine Company,
Atlantic Waste Disposal Company,
Atlas Metal Company,
Atlas Smelting and Refining Company,
Auld Brothers Contracting Company,
Australian Knitting Company,
Automatic Card Company,
Automatic Heater Regulator Company,
Automatic Scale Company,
Auto Cushioned Hub Company,

Automobile Press,
Automobile Speedway Company of New Jersey,
Automobile Wheel and Rim Company,
Azuano Industrial Company,
Bagnall Poultry Farms Company,
Baily Supply Company,
Bait Roe Company,
Baker Revolutionizing Super Heating Molecule Union Developing Company,
Balanced Cable Crane Company,
Balsam Development Company,
Baltimore and Joplin Zinc Company,
Baney Mercantile Company,
Bangor Hard Vein Slate Company,
Barenz Oven Company,
Barnett Manufacturing Company,
Barney Culm Company,
Battey Self Threading Sewing Maching Company,
Bauer Estate Land Company,
Baxter and Gainsboro Electric Railroad and Power Company,
Bayonne Real Estate Exchange,
Bay Ridge Cement Block Company,
Bay State Flour and Grain Company,
Bay State Park Construction Company,
B. B. Baseler and Company,
Beach and Treiber Company,
Beechwood-Cumberland Coal Company,
Belden Automobile Transmission Company,
Benedict Manufacturing Company,
Bennett Inventing and Manufacturing Company,
Bergen County Construction Company,
Berks Clay Company,
Berlin Health Extract Company,
Bernards Publishing Company,
Bernstein-Warendorff Amusement and Construction Company,
B. F. Lee Company,
Bickford Fire Brick Company,
Billingsport and Philadelphia Ferry Company,
Bingham and Eastern Mines Company,

Bitter Root District Irrigation Company,
Blackmore Engineering Company,
B. and L. Lubricant Company,
Blue Exchange Stamp Company,
Blue Point Oyster Cocktail Company,
Blue Ridge Slate Company,
Bob Creek Placer Company,
Bonnett Thoroughfare Beach Company,
Booklovers Library,
Boonton Iron Mining Company,
Borneman-Hertzler Company,
Boschelli Non-Refillable Bottle Company,
Boston Artificial Leather Company,
Boston Light and Equipment Company,
Boston Mines Company,
Bowen and Company,
Boylan and Sturr Bottling Company,
Brains Realty Company,
Bradford Construction Company,
Bradley Market, Meat and Provision Company,
Brady Ice Cream Company,
Braunstein Dry Goods Company,
Brazil Securities Company,
Bridgeport Athletic Manufacturing Company,
Brixite Explosives Company,
Bronx Mining Company,
Brooklyn Commission Company,
Brower Sisters,
Bully Choop Mining Company,
Burial League of the United States,
Business Men's Clearing House,
Butcher and Kuhn Company,
Calaveras Mining Association,
California Wine and Liquor Company,
Californian Oil Lands Company,
Caloric King Furnace Company,
Camden, Ellisburg and Marlton Turnpike Company,
Camden News Publishing and Printing Company,
Camden Wool Stock Company,
Camellia Flour Company,
Canada Brewery Company,

Canyon Mountain Mining Company,
Carbon Hill Graphite Company,
Carlton Manufacturing Company,
Carvin Knitting Company,
Cascade Vending Company,
C. B. Goad and Company,
C. B. Kimber Shoe Company,
Cecil Live Stock Company,
Centerville Dredging Company,
Central American Naval Stores Company,
Central Flint Company,
Central Theatre Company,
Century Security Company,
Champion Construction Company,
Champion Rocking Chair Company,
Charing Cross Bag Company,
Charles Brucker Contracting Company,
Charles F. Lietz Company,
Chas. Ihle Company,
Chas. J. Sutphin Knitting Company,
Charles M. Buckman Company,
Charlesgate Engineering Company,
Charlotteburgh Granite and Quarry Company,
Chelsea Investment and Development Company,
Chesapeake Grain Company,
Cheyney-Hood Photo Supply Company,
Chicago Battery Company,
Chicago Independent Ice Company,
Chronicle Press,
Chrysotil Granite Company,
Cienfuegus Sugar Company,
Cincha Stopper Company,
Citizens Union Telephone Company,
City Line Lumber Company,
Cleveland-Hancock Oil Company,
Clifford Manufacturing Company,
Clodine Rice Producing Company,
Clyde New England and Southern Lines,
Cobalt Coalition Mining Company,
Cobalt Silver Mining Company,
Coghlan, Mackenzie Erb Company,
Coleman Lumber and Stave Company,

Collin Company,
Collingswood Improvement Company,
Collister Construction Company,
Colonial Button Company,
Colonial Salt Company,
Colonial Securities Company,
Colorado Gold Dredging Company,
Colora Soap Company,
Colt and McLane Company,
Columbia Iron Foundry Company,
Columbia Park Association,
Columbus Manufacturing Company,
Colver Company,
Commercial Coal and Ice Company,
Commercial Contracting Company,
Commercial Ice and Produce Company,
Commonwealth Distilling Company of Pennsylvania,
Commonwealth Publishing Company,
Commonwealth Realty Company of Long Branch,
Compania Excelsior,
Co. 2 Motor Company,
Complete Combustion Company,
Compressed Air House Cleaning Company,
Compressed Coal Company,
Concrete Paving Company,
Coney Island and New York Navigation Company,
Conqueror Match Company,
Consolidated Grain Company,
Consolidated Lumber and Development Company,
Consolidated Railway Lighting and Refrigerating Company,
Consolidated Retail Booksellers,
Consolidated Supply Company,
Consumers Cigar Distributing Company,
Consumers Lumber Company,
Consumers Produce Company,
Consumers Produce and Retail Company,
Consumers Tire and Rubber Company,
Continental Graphite Company,
Continental Guaranty Company,
Cook Kerosene Carburetor Company,

Co-operative Syndicate,
Copper Chief Mining Company,
Corker Ointments Company,
Corporate Realty Association,
Corporation Bond and Guarantee Company,
Corporation Legal Manual Company,
Corozal Mining Company,
Corty Velvet Manufacturing Company,
Cotton Exchange Oil Company,
Council City and Solomon River Railroad Company,
Courtney Bolster and Truck Company,
Cragin Foundry and Manufacturing Company,
Craterdale Rod and Gun Club,
Cream City Telephone and Telegraph Company,
Crescent Biscuit and Manufacturing Company,
Crescent Leather Company,
Crescent Silver Manufacturing and Plating Company,
Crimora Manganese Company,
Crimson Seal Lubricant Company,
Crossan Brewing Company,
Cross-Eldredge Company,
Cross Manufacturing Company,
Crossville Coal and Timber Company,
Crown Cement Works Company,
Crude Oil Gas Machine Company,
C. S. Dengler Company,
C. S. Garrett and Son Company,
Cuba Eastern Railroad Company,
Cuba Motor Tally-Ho Company,
Culm Heater Company,
Curlew Realty Company,
C. W. Lee Company,
C. W. Mathis Company,
Cyanide Process Gold and Silver Extraction and Mining Company, for Baker County, Oregon,
Dalsimer Advertising Agency,
David Boyle Company,
Davis Cigar and News Company,
Day Manufacturing Company (Incorporated),
Dazzle Manufacturing Company,
D. B. Murphy File Company,

Deal Artesian Ice Company,
Deal Park Construction Company,
Dealers' Automobile Exchange and Development Company,
Dealers' and Consumers' Hygeia Ice Company, of Jersey City, N. J.,
Dearborn Flour and Grain Company,
Delaware Brick and Terra Cotta Company,
Delaware Construction Company,
Demarest Construction Company,
Department Store Chat,
De Roy and Reiss Company, Incorporated,
Derr B. Neagley,
De Soto Mining Company,
De Voll Tire Company,
Dewey Land Company,
D. Haverstick and Company, of Trenton, N. J.,
Diamond Brokers Company,
Diamond Sand Company,
Dixie Land Company,
Dixie Match Company,
Dr. Reed Cushion Shoe Company, Incorporated,
Dr. Reed Cushion Shoe Company, of Philadelphia,
Dominion Engineering Company,
Douglass Chair Company,
Dover Co-operative Store,
Dover Improvement Company,
Downingtown Enterprise Company,
Dunellen Heights Land Company,
Duquesne Brick Company,
Duquesne Flour and Grain Company,
Duquesne Manufacturing Company,
Dutcher Brothers, Incorporated,
Dutchess Acetylene Gas Generator Company,
E. A. Gantert Company,
Eagle Automobile Company,
Eagle Dental Manufacturing Company,
Eagles, Smith and Company,
East Burlington Rubber Company,
East End Merchants' Trading Stamp Association
East India Mango Company,

East Rutherford Realty Company,
Eastern Brokerage Company,
Eastern Land Company,
Eastern Oil and Gas Company,
Easy-Out Stopper Company,
Economic Power and Pump Company,
Economy Pattern Company,
E. Culver Company,
Edgar Oil Company,
Educational Funding Company,
Educational Library Association,
Edwin C. Biddle Realty and Construction Company,
E. F. Drum and Company,
Egner-Wildonger Chemical Company,
Elberon Automobile Company,
Elberon Hotel Company,
Electra Manufacturing Company,
Electric Advertising Company,
Electric Ozone Company,
Electric Tramway Construction Company,
Elevator Safety Appliance Company,
Elizabeth Copper Company,
Elizabeth Mining and Milling Company,
Elizabeth Oil Company,
Elizabeth Roofing Company,
Elk Chemical Company,
Elkwood Park Steeplechase and Pony Racing Association,
El Tajo Mining and Milling Company,
Emanuel and Lee Ballast Company,
Empire Garage Company,
Empire Graphite Company,
Empire State Construction Company,
Empire Store Company,
Empire Talc and Kaolin Mining Company,
Englewood Bond Company,
English, Thompson and Wells Dairy Company,
Enterprise Lumber Company,
Enterprise Sand and Stone Company,
Essex Automatic Merchandising Company,
Essex County Paint Company,
Essex Land Company,

Essex Wood and Ladder Company,
Estaugh Knitting Mills Company,
Estelle Cigar Manufacturing Company,
Estimating Bureau, Incorporated,
Eterno Company,
Ethiopian Progressive Association of America,
Euclid Flour and Grain Company,
European Baxeres Manufacturing Company,
Evans Engine Company,
Ever-Wound Clock Company,
Ewing Building and Concrete Construction Company
Excelsior Electric Protection Company,
Excelsior Pottery Company,
Factory Shoe Store,
Farriers Hoof Pad Company,
Fashion Silk Company,
Fayette Lime and Cement Company,
Federal Book Company of Boston,
Federal Oil Company,
Federal Stove Company,
Feigenbaum and Gottlieb Company,
Ferguson Coal and Dock Company,
Fibre Covered Demijohn Company,
Fidelity Mercantile Agency,
Fidelity Mercantile Agency of Worcester,
Field Multiplex Telegraph Installation Company,
Fiess Palihnich Company,
Fighting the Flames Company,
Finance Engineering and Construction Company
Fire Proof Celluloid Company,
Fireside Building Fund of Camden, N. J.,
Five Mile Beach Lumber Company,
Flagg Cutlery Company,
Flagg Stove Company,
Fletcher Company,
Flexible Head Rest Sanitary Company,
F. M. Weilers Liberty Machine Works,
Fodor, Harle and Auer Company,
Ford Towing Company,
Foresters' Temple Association,
Forsyth Raisin Process Company,

Fort Orange Grain Company,
Fort Pitt Oil and Gas Company,
Fountain Rock Lime and Stone Company,
Fowler Real Estate Company,
Fox Drastic Carbonating Company,
Foxhill Pattern Company,
Fraley Developing Company,
Franco-American Medical Appliance Company,
Franklin Construction Company,
Franklin Haddock Leather Company,
Franklin-Lincoln Securities Company,
Frank Melville Amusement Company,
Frank Siddalls Soap Company,
F. R. Dunn Explosive Manufacturing Company,
Freeland Supply Company,
Fuller-Hay Shoe Company,
Fulton-Gordon Company,
F. W. Farrell Company,
F. W. Jarden and Son, Incorporated,
Gardiner and Percy Company,
Gardner and Rendall Lumber Company,
Garfield Realty Company,
Gauley Consolidated Coal Company,
G. E. Mausert,
Gem Diamond Mining and Development Company,
General Equipment Company,
General Manufacturing Company,
George F. Egan Contracting Company,
Geo. F. Hinrichs Company, Incorporated,
George Fries' Son, Incorporated,
Geo. Lewis Tea Company,
Geo. S. Daugherty Company,
Geyer Lumber Company,
Gifford Manufacturing Company,
Gillison and Company, Incorporated,
Girard Flour and Grain Company,
Girard Heating Company,
Girard Securities Company,
Glacier Spring Water Company,
Globe Carpet and House Cleaning Company,
Globe Development Company,

Globe Pottery Company,
Gloucester-Camden Homestead and Improvement Company,
Glycerette Manufacturing Company,
Goetchius and Smith,
Gold Hill Copper Company,
Golden Ranch Sugar and Lumber Company,
Golden Terry Mining Company,
Goodson Electric Ignition Company,
Goodwin and Duane Grocery Company,
Gopher State Milling Company,
Gotham Despatch and Express Company,
Grady Trading Company,
Granite Block Manufacturing and Construction Company,
Greater Pittsburg Oil Company,
Greulich Martin and Company,
Grieb Rubber Company,
Grossmann and Sutherland Company,
Grosvenor Realty Company,
Guantanamo Company,
Guarantee Auto Supply Company,
Guarantee Realty Company,
Guines Company,
Hackensack Meadows Company,
Hackensack Wrecking Company,
Hackettstown Wood Working Company,
Hakemeyer Machine Company,
Haledon Throwing Company,
Hamilton Printing and Publishing Company,
Hamilton Silk Throwing Company,
Hampton Novelty Company,
Handy Trouser Rack Company, Incorporated,
Hanover Union Steel Casting Company,
Harcombe Restaurant Company,
Harker and Company,
Harrington Park Company,
Harrison Commission Company,
Harry J. Mackin Company,
Hart Valve Company,
Harvey-Cameron Selling Service,

Harvey Hygienic Manufacturing Company,
Hawkins Company,
H. C. Buck, Jr., Company,
Heating and Power Company,
Hector Submarine Boat and Propeller Company,
Henry Brooke Company,
Henry F. Marquardt, Incorporated,
Hercules Improvement Company,
Herrigel Printing Company,
Herzog General Electric Company,
Hetfield Car Cover Company,
Heyer and Wertz, Incorporated,
H. F. Hewitt and Company, Incorporated,
H. and H. Manufacturing Company,
Highland Refrigerating Company,
Highpoint Realty Company, of West New York, N. J.
Hilke Realty Company,
Hillside Home Building Company,
Hirschberg Fine Company,
Home Building Investment Company,
Home Buyers Corporation,
Home Food Company,
Home Record Publishing Company,
Home Typewriter Company,
Homer Davenport Farms,
Horning Springs Sanitarium and Water Company,
H. R. Eagle Company,
H. Ruderman Company,
Hudson River Realty Company,
Hudson Silk Company,
Human Instantaneous Water Heater Company,
Humboldt Ore Company,
Hydraulic Safe and Vault Manufacturing Company,
Hygienic Soap Granulator Company,
Hy Jen Chemical Company,
Idaho Irrigation and Power Company,
Ideal Combination Gas Lamp and Heater Company,
Ideal Painless Dental Company,
I. H. Blauvelt Company,
Imperial Amusement Company,
Imperial Tobacco Machine Company,

Impervious Burial Vault Company,
Improved Electric Bell Company,
Independent Beef and Provision Company,
Independent Publishing Company,
Inland Construction Company,
Interborough Transit Company,
Intercontinental Development and Mining Company,
Interior Construction and Improvement Company,
International Air Brake Company,
International Appliance Company,
International Bleaching and Dyeing Process Company,
International Coal Oil and Electric Company,
International Construction Company,
International Development Company,
International Engineering Company,
International Furniture Company,
International Manufacturing Company,
International Mining Exposition Company,
International Moulding Company,
International Music Company,
International Nut Lock Company,
International Rail Brazing Company,
International Reduction Company,
International Roller Company,
International Society,
International Stoker Company,
International Supply Company,
International Time Recording Company,
Interstate Cement Brick and Block Company,
Inter-State Distilling Company,
Inter-State Finance Company,
Inter-State Legal Protective Association,
Interstate Securities Company,
Inventors Helping Hand Association,
Investment Realty Company,
Investors Realty Company,
Investors Securities Company,
Inwood Association,
Ironsides Pottery Company,
Iron and Steel Refining Company of America,

Irvington Manufacturing Company,
Island Beach Real Estate Company,
Isle of Pines and Cuban Trading Company,
Isle of Pines Steamship Company,
Isolating Method and Apparatus Gas Company of the United States,
Italian Art Tile and Mosaic Company,
Ivel Agricultural Motor Company of America,
Jackson Cereal Company,
Jackson and Company,
Jackson, Fish and Company,
Jackson Junior Zinc Company,
Jacob Clark Stone Company,
Jacques and Company,
James Connolly and Sons Company,
Jamestown Exposition Excursion and Steamboat Company,
Jamosee Company,
J. C. Farr Company,
J. C. Knoeppel Iron Works,
J. Edwards and Company,
Jerome Company,
Jersey City Brass Foundry,
Jersey City Chain Works,
Jersey City Light and Equipment Company,
Jersey Dairy Company,
Jersey Land Real Estate and Amusement Company,
J. G. Crane and Company,
J. H. T. Martin Company,
J. K. Wright Printing Ink Company,
John Larkin and Company, Incorporated,
John P. Holland's Submarine Boat Company,
John P. Quinn Educational Amusement Company,
John S. Alston Manufacturing Company,
John Shields Construction Company,
John T. Bealor Manufacturing Company,
John W. Mellott Manufacturing Company,
Johnston and Edwards Engineering and Construction Company,
Johnston-Smith Advertising Company,
Johnston Tin Foil and Metal Company,

Jones and Dobson Company,
J. Walter Thompson Company,
J. W. Edwards Construction Company,
Jucaro and Moron Sugar and Land Company,
Kankakee Packing Company,
Keeling and Ridge Company,
Kellogg Manufacturing Company,
Kerosene Carburettor Company,
Keystone Audit and Adjustment Company,
Keystone Electric Construction Company,
Keystone Grocery Company,
Keystone Roofing and Paving Company,
Keystone Security and Investment Company,
Keystone Veneer Company,
Keystone Ventilating Company,
Kiel and Wands Construction Company,
Kilpack, Smith Real Estate Company,
King Optical Company,
K. and K. Red Trading Stamp Company,
Klein Company, Embroiderers,
Knickerbocker Contracting Company,
Knickerbocker Improvement Company,
Kougarok-Alaskan Mining Company,
Krebs and Goodwin Company,
Krider Company,
Kunze and Kuhns Company,
Kuttowait Butter Cutter Company,
Lakewood Athletic Association,
Lamphear-Buck Lumber Company,
La Natividad Mining Company,
Lancaster Manufacturing Company,
Larney-Barr Jewelry Company,
Last Portrait of Lincoln Company,
Laterre Realty Company,
Latrobe Norfolk Realty Company,
Lavo Remedies Company,
Lawrence Engineering Company,
Lawson Boat and Car Company,
Leader Department Store,
Leader Publishing Company,
Lebanon Motor Works,

Lebanon Valley Hotel Company,
Lederer Realty Company,
Leede Process Company,
Legal Realty Company,
Lehigh Granite Brick Company,
Lehigh Match Distributing Company,
Lewis Metallic Packing Company,
Liberty Bell Hosiery Mills,
Liberty Brass Bed Manufacturing Company,
Lion Laundry Company,
Liquor Dealers' Buying Association,
L. J. Hardham Printing Company,
L. K. Peacock, Incorporated,
Lloyd Fresco Company,
Locke Manufacturing Company,
Lockwood Manufacturing Company,
Logan Dry Goods Company,
Logan Portland Cement Company,
Long Beach City Land Company,
Lyon Realty Company,
Madison Fertilizer Company,
Magic City Pharmacal Company,
Magnesia Company of America,
Magnet Car Brake Company,
Maignen Filtration Company,
Mandeville and Company,
Manhattan Biscuit Company,
Manufacturers Fuel and Light Company,
Manufacturers' Securities Company,
Marion Manufacturing Company of Ohio,
Massy Railway Supply Company,
Matawan Journal Publishing Company,
Matthews Manufacturing Company,
McAfee, Lind Mining Company,
McDonald-Smith Company,
McGall Manufacturing Company,
McLean Automobile Company,
McSweeney Packing Company,
McWhirter Cut Stone Company,
M. Desaye and Company,
Mechanical Divided Ten Pin Company,
Mechanical Manufacturing Company,

Mechanics' and Tradesmen's Society of Perth Amboy, New Jersey,
Mellott Heating Company,
Mercantile Clearing Association,
Mercer Electrical Company,
Merchants Ice and Coal Company,
Merchants Protective and Realty Company,
Merchants Queen Trading Stamp Company,
Merchants' Transfer and Storage Company,
Merchants Water Company,
Merkel Realty Company,
Metallic Specialty Manufacturing Company,
Metal Sign Company,
Metal Volatilization Company,
Metropolitan Amusement Company,
Metropolitan Automatic Fan Company,
Metropolitan Rubber Company,
Metropolitan Stone Company,
Mexican Land and Development Company,
Michigan Construction Company,
Michigan Crude Oil Company,
Michigan and Indiana Construction Company,
Middlesex Grocery Company,
Middlesex Light and Equipment Company,
Midland Park Silk Company,
Mierdierck Brewing Company,
Milk Rice Company,
Mills Trading Company,
Mines Development Company,
Mission Press, Incorporated,
Mississippi Valley Construction Company,
M. J. Sage and Company,
Mobile Electric Company,
Modern Gas Construction Company,
Moffett Electric Railway Bearing Company,
Monarch Asbestos Company,
Monarch Machine Company,
Monarch Rug Manufacturing Company,
Monitor Publishing and Manufacturing Company,
Monongahela Petrified Brick Company,
Monroe Portland Cement Company,
Montclair Auto Station Company,

Morehead, Rodman Company,
Morehead and Straight Creek Railroad Company,
Moreland Chemical Company,
Mor Realty Company,
Morris Coal Company,
Morris Sand and Concrete Block Company,
Morrison Photographic Supply and Manufacturing Company,
Morristown Athletic Association,
Morton-Culp Company,
Motorvehicle Company,
Muriel Company,
Mutual Cigar Manufacturing Company,
Myers Corporation,
Narragansett Bay Supply Company,
Narragansett Cement Stone Manufacturing Association,
Narragansett Manufacturing Company,
National Addograph Company,
National Automatic Knitter Company,
National Clay Company,
National Cloak and Suit Company,
National Finance Company,
National Flexible Shaft Company,
National Glass and Bottle Company,
National Improvement Company,
National Labor Standard Publishing Company,
National Legal Security Company,
National Lumber Company,
National Manganese Development Company,
National Manufacturing and Construction Company,
National Mercantile Agency,
National Mineral Springs Company,
National Nail Driving Machine Company,
National Novelty Corporation,
National Rifle Supply Company,
National Salt Company of Mexico,
National Spinning Company,
National Stopper Company,
National Vending Machine Company,
National Water Tube Boiler Company, of New Brunswick, N. J.

National Window Glass Company,
Natural Hygeia Ice Company,
Naturo Company (tax for the year 1906),
Neptune Chemical Company,
New Albany Woolen and Cotton Mills Company,
Newark Concrete Building Block Company,
Newark Motor Car Company,
Newark Real Estate Exchange and Auction Room Company,
Newark Turkish Bath Company,
New Auditorium Pier Company,
Newfoundland Syndicate,
New Jersey Auto Car Company,
New Jersey Building Supply Company,
New Jersey Ceramic Photo Company,
New Jersey Distilling Company,
New Jersey Electrical Construction Company,
New Jersey Feed Company,
New Jersey Furnace Company,
New Jersey Improvement Company,
New Jersey Iron Ore Company,
New Jersey Land and Construction Company,
New Jersey Live Stock Company, Incorporated,
New Jersey Metosote Paint Works,
New Jersey Milk and Cream Company,
New Jersey Post Publishing and Printing Company,
New Jersey Press Association,
New Jersey Storage Company,
New Jersey Terminal Dock and Improvement Company,
New Jersey Touring Company,
New Jersey Window Shade Company,
New Market Zinc Company,
New Milford Heights Land Improvement Company,
New River Coal Sales Company,
New South Realty and Contracting Company,
New York Automatic Telephone Company,
New York-Brazilian Dredging Company,
New York Broadway Rubber Tire Company,
New York Car and Truck Company,
New York Electric Supply Company,

New York-French Guiana Company,
New York, Longport and Atlantic Steamship Company,
New York Park Amusement Company,
New York and Pennsylvania Construction Company
New York Petroleum Soap Company,
New York-Philadelphia Company,
New York Railway Supply Company,
New York and Rochester Steel Mat Company,
New York Suburban Development Company,
New York Suburban Theatre Company,
New York and Texas Steamship Company,
New York and Verona, N. J., Realty Company,
Nickle Plate Transfer Company,
Niendam Manufacturing Company,
Nienstadt-Killarvae Company,
North American Novelty Company,
North Eastern Zinc Corporation,
North Jersey Automobile and Engineering Company,
North Jersey Realty Company,
North Newark Concrete Block Company,
Northern Valley Realty Company,
Northwestern Coal Company,
Northwestern Mining Company,
Norwood Building Company,
Nova Scotia Development Company,
Novelty Amusement Company,
Novelty Silk Printing Company,
Oaxaca Milling Company,
Oaxaca Securities Company,
Oaxaca Smelting and Refining Company,
Ocean City Utilization and Sewerage Company,
Ocean Liner Attraction Company,
Ocean Pier and Amusement Company,
Octagon Mining Company,
Odiorne and Morse Company,
Ohio Coal and Coke Company,
Old Hook Pigeon and Poultry Farm Company,
Old La Grange Warehouses,
Optimist Publishing Company,
Orange Cab Company,

Orange Pharmacy,
Oregon-Idaho Gold Mining Company,
Ostler, Zanes and Company,
Otis H. Kean, Incorporated,
Oxyoline Institute,
Pacific Selling Company,
Palmer Baseball Company,
Panama Poultry Association,
Pan-American Exploration Company,
Pan Metals Corporation,
Paper Machine Improvement Company,
Paquita Development Company,
Park Lake Home Development Corporation,
Par Value Novelty Company,
Pascoe Tubercular Sanitarium Company,
Passaic Broom Works,
Passaic Motor Car Company,
Patent Leather Company of America,
Paterson Handle Works,
Paterson Light and Equipment Company,
Patuxent Harbor Improvement Company,
Paul Morris and Company,
Peach Bottom Slate Manufacturing Company of York, Pennsylvania,
Pearl Gold Mining and Milling Company,
Peat Fuel Company of New Jersey,
Peerless Tobacco Company,
Peissa, Kovitch and Spitzer Company,
Peninsula Construction Company,
Peninsular Land and Lumber Company,
Penn Bullfrog Company,
Pennsylvania Contracting Company,
Pennsylvania Patent Company,
Pennsylvania Theatrical Transfer Company,
Peoples Amusement Corporation,
Peoples Brick Corporation,
Peoples Ice Company,
Peoples Ice and Cold Storage Company,
Peoples Light and Power Company,
Perco Regulator Company of Pennsylvania,
Perfection Rubber Company,

Perfecto Lacquer and Varnish Company,
Pero Company,
Perry Typewriter Company,
Perth Amboy Publishing Company,
Perth Amboy and Staten Island Ferry Company,
Petrie Deep Sea Diving Company,
Philadelphia Audit Company,
Philadelphia Cash Grocery Company,
Philadelphia Credit Reporting Company,
Philadelphia Horse Shoe Company,
Philadelphia Metal Stamping Company,
Philadelphia Portable Store Company,
Philadelphia Vending Company,
Philippine Products Company,
Phillips Realty Company,
Phonosphere Manufacturing Company,
Phospho Mint Company,
Physical Culture Company,
Pittsburg Cement Company,
Pittsburg Fuel-Saving Furnace Company,
Pittsburg Pharmacal Company,
Pittsburg and Southern Veneer Manufacturing Company,
Pittsburg Stackless Smoke Consumer Company,
Pittsburg Water Heater Company,
Pittsburgh Refreshment Machine Company,
Pittsburgh Razing and Erecting Company,
P. J. Doherty Company,
Plainfield Realty Company,
Plainfield Spring Water Company,
Pneumatic Tire Shield Company,
Pneumatic Tool Improvement Company,
Poillon Pottery Company,
Point Breeze Oil and Soap Company,
Point Pleasant Regealed Ice Company,
Porcelain Paint Company,
Portland (Pa.) Power Company,
Powers Pharmacy Company,
Prall Foreign Motive Power Company,
Prather Engineering Company,
Press-File Binder Company,

Preston Pigeon Farm Company,
Princess Roller Rink Company,
Princeton-Spencer Piano Company,
Professional Publishing Company,
Progressive Realty Company,
Providence Light and Equipment Company,
Prudential Land and Improvement Company,
Public Accountants Company,
Public Amusement Company,
Public Opinion, Incorporated,
Publishers Security Company of North America,
Puerto Principe Electric Company,
Pulmonol Company,
Purathol Laboratory Company,
Purchasing Company,
P. Wineberg and Son, Ltd.,
Pyrites Mining and Reduction Company,
Quinn and Wassmer Company,
Quivera Lead and Zinc Company,
Radnor Coal Mining Company,
Radnor Hill Company,
Rahway and Carteret Transportation Company,
Raleigh Construction Company,
Raritan Driving Association,
Raritan Towing Company,
Ready Lunch Company,
Real Estate Exchange,
Realty Company of Bergen, (formerly Landrine Realty Company),
Realty Securities Company,
Rector Light Supply Company,
Reed Apartment and Investment Company,
Reeves Engine Company,
Reliable Gas Engine and Manufacturing Company,
Reliable Real Estate Company,
Reliable Remedy Company,
Reliance Brass Company,
Retailers Reporting and Collecting Company,
R. H. Gerberding Manufacturing Company,
Rhode Island Dental Association,
Rhode Island Worsted Mills,

Richard Arkwright Company,
Rio Montagua Development Company,
Rival Leather Finishing Company,
River Bluffs Company, of Point Pleasant,
Riverhead Land and Improvement Company,
Riverside Planing Mill and Coal Company,
Riverside Rubber Company,
R. L. Schwarz Company,
Roberts Manufacturing Company,
Rockaway Automobile Company,
Rockaway Shoe Manufacturing Company,
Roebling Baseball and Amusement Company,
Roosevelt Construction Company,
Rosevear Manufacturing Company,
Round Top Cement Company,
R. Swinely Company,
Rutherford Electrical Contracting Company,
Saneva Natural Guano Company,
Sanitary Ice Company,
Sanitary Utility Company,
Sanitary Wool Cleansing Company,
San Rafael Mining Company,
San Rafael Plantation Company,
Sansom Stone Company,
Santa Cruz Mercantile Company,
Scharstein, Hobson and Lange, Incorporated,
Schmitt and Meurer, Incorporated,
Schmitt Valve and Metal Company,
Schuylkill Stone Company,
Schwing and Company,
Scientific Materials Company,
Scott Arc Lamp Company,
Scott Oil Company,
Scott Thompson Corporation,
Seaboard Brick Company,
Seacoast Stone and Brick Manufacturing Company,
Sea Isle City Sewerage Company,
Sea Shore Bridge Company,
Sea Side Real Estate Company,
Securities Investment Company,
Security Trading and Investment Company,

Seen and Heard Publishing Company,
Seneca Silk Company,
Seropian Brothers Company,
Seton Inn Company,
Sheridan, Devine and Lyon Manufacturing Company,
Silas N. Lacy Cash Register and Supply Company,
Silveira Sugar Company,
Simon and Crawbuck Company,
Simplex Cutting Machine Company,
Simplex Novelty Company,
Sims-Kent Company,
Sinaloa and Sonora Mining and Smelting Company,
Sloan Iron Company,
Smith-Lasher Lumber Company,
Smokeless Fire-Proof Fire Place Company,
Smyth Leather Manufacturing Company,
Soco Creek Flume Company,
Solid Steel Casting Company,
Sons Pie Baking Machine Company,
Sorhagen Transfer Company,
South Brunswick Land Improvement Company,
South Elberon Land Company,
South End Homes Company,
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South Jersey Farms Company,
South Jersey Water Supply Company,
South Norwalk Flanged Fittings Corporation,
Southern Placer Mining Company,
Southern Public Service Corporation,
Southern Real Estate Security Company,
Southern Realty Company,
Southern Star Mining Company,
Southwest Securities Company,
Southwestern Improvement Company,
Spa Spring Clay Company,
Spengler Manufacturing Company,
Staib Window Manufacturing Company,
Standard Amusement Company,
Standard Bottle Company,
Standard Brokerage Company,
Standard Clay Manufacturing Company,

Standard Cooking Utensils Company,
Standard Gas Regulator Company,
Standard Rubber Company,
Standard Rubber Manufacturing and Supply Company,
Standard Shoe Company,
Standard Stoker Company,
Standard Supply and Trading Company,
Standard Water Meter Company,
Star Mining and Investment Company,
Star Silk Company,
Sterling Glass and Machine Manufacturing Company,
Sterling Publishing and Printing Company,
Sterwildain Water Company,
Stillwell Light Company,
Stockham Publishing Company,
Strong and Williams Company,
Sturges Diamond Drill and Development Company,
Stuyvesant Grain Company,
Suburban Engineering and Contracting Company,
Sundown Medical Works,
Superior Silk Mill,
Susquehanna Iron Products Company,
Sussex County Mining Company,
Sutphin and La Rue Company,
Sutton and Potts Company,
Swaines Antidote Syndicate,
Swart Manufacturing Company,
Swedesboro Glass Works,
S. and W. Gravity Lock Company,
Synthetic Chemicals Company,
Teall Printing Company,
Teaneck Park Land and Improvement Company,
Temple Ornamental and Structural Iron Works Company,
Terra Haute and Peoria Construction Company,
Texas Railways Company,
T. H. Connelly Tea and Coffee Company,
Thoens Manufacturing Company,
Thomas Houlette Company,
Tierney and Connelly Construction Company,
Toledo Billiard Ball Company,

Toledo Real Residue Company,
Toms River Gravel Company,
Tottenville Lumber Company,
Touraine Motor Company,
T. P. Welsh Company,
Traders Realty Company,
Trades Protective Association,
Transcript Publishing Company,
Trappers Flat Mining and Milling Company,
Traver Coupling Company,
Treaty Island Company,
Tremont Realty Company,
Trent Gas-Appliance Company,
Trenton Auto and Transit Company,
Trenton Base-Ball Association,
Trenton Gutta Percha and Rubber Separating Company,
Trenton Incubator Company,
Trenton Light and Equipment Company,
Trenton Manufacturing Site Company,
Trenton Shirt Manufacturing Corporation,
Tri-Color Brick Company,
Troy Laundry,
Twentieth Century Roller Washer Company,
Twin City Cereal Company,
Ulna Trading Company,
Union Cross Tie Company,
Union Dairy Company,
Union Mortgage and Security Company (formerly Commercial Building Company),
Union Paper Goods Company,
Union Ribbon and Carbon Company,
Union Safe and Lock Company,
Unique Folding Box Company,
United Amusement Construction Company,
United Centrifugal Roller Coaster Company,
United Cloak and Suit Company,
United Cobalt Exploration Company,
United Copper Bearings and Metal Company,
United Feed Company,
United Mines Corporation,

United Press,
United Public Works Company.
United Realties,
United States Artificial Stone Company,
United States Brake Shoe Company,
United States Developing and Manufacturing Company,
United States Development Company,
United States Graphite Company,
U. S. Grate Bar Company,
United States Immigration Company,
United States Independent Telephone Company,
United States Kaolin Company,
United States Manufacturing Company of Camden, New Jersey,
United States Metal Chill and Casting Company.
United States Ramie Fibre and Manufacturing Company,
United States Reference and Bond Association,
United States Sand Filtration Company,
U. S. Steel-Highways Company,
Universal Cash Register Company,
Universal Engineering and Contracting Company,
Universal Novelty Company,
Universal Registry and Amusement Company,
Universal Trading Company,
Utilities Manufacturing Company,
Utility Company,
Valdez and Northern Railroad Company,
Vandegrift Automobile Company,
Van Diemen Engraving and Type Manufacturing Company,
Van Horn and Company,
Van Rensselaer Construction Company,
Vapor Gas Engine Manufacturing Company,
Veneer Ceiling and Flooring Company,
Vichachi Mining Company,
Victor Auto Tire Repair Company,
Victoria Copper Mining Company of Nevada,
Vineland Glass Sand Company,
Visaggio Construction Company,

Voigt Metal Company,
Walker Mining Company,
Walkley, Riegel, Barnes and Company (Incorporated),
W. A. Lovett and Company,
Walpa Tonic Company,
Walter E. Baker Chocolate Company,
Walton Silk Company,
Walton's Sons Silk Company,
Wanaque Lumber Company,
Warner Company,
Wartman-Thomas Company,
Washington Restaurant,
Washington Securities Company,
Watchung Ice and Cold Storage Company,
Water-Front Realty Company,
Watkinson Rubber Shoe Company,
Wautossa Water Company of New Jersey,
Webb Company,
Webber Brake Company,
Webber Creek Mining and Milling Company,
Wellman Manufacturing Company,
West End Company,
West Jersey Supply Company,
West Orange Lumber and Coal Company,
West Philadelphia Storage, Warehousing and Auctioneering Company,
West Side Realty Company,
West Side Realty Company of Jersey City.
Western Purchasing Company,
Western Construction and Equipment Company,
Weslim Construction Company,
Westmoreland Provision Company,
Wheat Growers, Incorporated,
Whirler Air Light Company,
White Motor Company,
Whitehead and Bell Company,
Whiteley Company,
Wilcox Specific Medicine Company,
Wildwood Crest Pier and Amusement Company,
William Douglass and Company,
William E. Renich Company,
William Graham Company,

Williams Coal and Grain Company,
Williamson and McLaughlin,
Wilmot Motor and Cycle Manufacturing Company
Wilson Manufacturing and Medicine Company,
Wireless Telegraph Company of America,
W. K. Patton, Incorporated,
Wollman and Bauer Building Company,
Woodbury Brick Manufactory and Building Company,
Wood-Lynne Land Company,
Wood Mantel and Chandelier Company,
Woolson and Deck Company,
Workingmen's Protective Association,
Worthley Realty and Improvement Company,
Wrigely Inter-Locked Switch Stand Company,
W. S. Gilhuly Company,
Wyandot Production and Refining Company,
X-Terminator Company,
Yacht, Gas Engine and Launch Company,
Yamatine Advertising Sign Company,
Yamatine Manufacturing Company,
Yates Harness Company,
Yukon Milling, Dredging and Power Company,
Youngson and Blair's Greater American Minstrels,
Youngson-St. John Amusement Company,

are repealed, and all powers conferred by law upon such corporations, and each of them, are hereby declared inoperative and void.

In witness whereof, I have hereunto set by hand and caused the great seal of the State to be affixed, at Trenton, this fourth day of January, one thousand nine hundred and ten.

By the Governor:

[GREAT SEAL] JOHN FRANKLIN FORT.
Governor.

S. D. DICKINSON,
Secretary of State.

Filed January 4th, 1910.
S. D. DICKINSON,
Secretary of State.

PROCLAMATION BY THE GOVERNOR.

WHEREAS, on the fourth day of January, Nineteen Hundred and Ten, under 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, eighteen hundred and eighty-four," which supplementary act was approved June third, nineteen hundred and five, I did issue my Proclamation of that date that the charters of certain corporations, reported by the Comptroller as in default in the payment of taxes imposed on them by law, were repealed and declared null and void; and

WHEREAS, it is established to my satisfaction that the Montclair Times Publishing Company, one of the corporations named in my said Proclamation, has not refused to pay said tax within two consecutive years:

Now, therefore, in pursuance of section six of an act of the Legislature of the State of New Jersey 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, eighteen hundred and eighty-four," which supplement was approved June third, nineteen hundred and five,

I, John Franklin Fort, Governor of the State of New Jersey, do hereby correct the mistake of including the said Montclair Times Publishing Company in my said Proclamation, and do make the same known by this, my said Proclamation, to be filed in the office of the Secretary of State.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of this State to be affixed,

at Trenton, the eleventh day of January, A. D. nineteen hundred and ten.

[GREAT SEAL] JOHN FRANKLIN FORT.

By the Governor:

S. D. DICKINSON,
Secretary of State.

Endorsed:

"Filed Jan. 11, 1910.
S. D. DICKINSON,
Secretary of State."

PROCLAMATION BY THE GOVERNOR.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Former Governor George T. Werts died in the City of Jersey City on the morning of January 17, 1910, after a short illness.

Former Governor Werts was born at Hackettstown, Warren County, New Jersey, March 24, 1846. He was admitted to the bar at the November Term, 1867. He was mayor of the town of Morristown from 1886 until his resignation in February, 1892. He served in the Senate of this State, representing Morris County, from 1886 until he resigned in February, 1892, to accept the office of Justice of the Supreme Court, to which he was appointed by Governor Abbett. He presided in the Hudson County Circuit. In 1892 he was elected Governor of this State, and on the expiration of his term retired to private life.

In recognition of the prominent and important positions under the government of this State, which he filled, it is fitting that proper respect be paid to his memory.

Therefore, I, John Franklin Fort, Governor of the State of New Jersey, do, in testimony of the respect for his memory and sympathy in his loss, hereby direct that the public buildings of the State be draped in

mourning for thirty days, and that until the day of the funeral the flags thereon be placed at half mast, and that during the funeral services the public offices be closed and a proper salute be fired.

Given under my hand and the Seal of the State of New Jersey, at Trenton, this
[SEAL] Seventeenth day of January, Nineteen hundred and ten.

JOHN FRANKLIN FORT.

Attest:

LESLIE R. FORT,
Secretary to the Governor.

Endorsed:

"Filed Jan. 17, 1910.
S. D. DICKINSON,
Secretary of State."

DECREES OF DISSOLUTION.

(651)

Decrees of Dissolution.

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.

Name.	*Filed.*
Atlantic Squab Company.	December 27, 1909
International Automobile and Vehicle Company.	February 14, 1910
Fullers Express Company.	April 14, 1910
National Harrow Company.	April 19, 1910

New Jersey State Library

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