LAWS—NEW JERSEY
1912

New Jersey State Library

ACTS

OF THE

One Hundred and Thirty-Sixth Legislature

OF THE

STATE OF NEW JERSEY,

AND

Sixty-Eighth Under the New Constitution.

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New Jersey State Library

The following laws, passed by the One Hundred and Thirty-sixth 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-Sixth Legislature

OF NEW JERSEY.

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Warren, ...	HENRY O. CARHART.

LAWS

New Jersey State Library

ACTS

PASSED BY THE

One Hundred and Thirty-sixth Legislature.

CHAPTER 1.

An Act to enable two or more boards of chosen freeholders, jointly charged by law with the maintenance and repair of any road, when engaged in the reconstruction, rebuilding, changing the grade, or widening thereof, to keep a portion of the same in repair and construct temporary roadways in the same for the accommodation of public travel, during such work, and to issue bonds for the payment of the same.

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

Temporary roadway during road improvement.

1. Whenever two or more boards of chosen freeholders of counties of this State, jointly charged by law with the maintenance and repair of any road, engage in the reconstruction, rebuilding, changing the grade, or widening thereof, and it is necessary during such work, in order to accommodate public travel thereon, that a portion of such road should be kept in repair, or a temporary roadway should be constructed therein, it shall and may be lawful for such boards so to do.

Bond issue.

2. If, in the opinion of either of said boards to place in the tax levy for any one year its share of the cost of

keeping such portion of said road in repair, or constructing said temporary roadway, would be too burdensome on the taxpayers of the county, it shall and may be lawful for such board to issue the bonds of the county to pay its share of such cost; said bonds to run for a period not exceeding five years, to bear interest at a rate not exceeding five per centum per annum; to be executed in the manner that bonds of such county are usually executed, and to be sold at public or private sale for not less than par and accrued interest.

Time.

Rate.

Provision for redemption.

3. Annually after the issue of such bonds the board shall place in the tax levy a sum sufficient to pay the interest on such bonds as it matures; and also a sum which with the accumulations shall be sufficent to pay off and discharge said bonds at maturity, which shall be deposited in a sinking fund to be created for that purpose.

As to immediate repairs.

4. If the portion of said road being used for public travel during the work aforesaid be in such bad condition as to be dangerous or unsafe for use, rendering necessary immediate repairs or the construction of a temporary roadway, said boards, without advertising for bids, may let a contract for the work, or any part thereof, or purchase the materials and contract for the labor, or give authority to its joint committee on said improvement so to do; *provided, however,* any contracts entered into by the joint committee shall not be valid unless approved by the directors of the boards, and also by the county supervisors in counties where such office exists.

Proviso.

5. This act shall take effect immediately.

Approved January 30, 1912.

WOODROW WILSON,
Governor.

CHAPTER 2.

An Act validating bonds heretofore directed to be issued by boards of chosen freeholders of counties of this State for the purchase of turnpike or toll roads and bridges, and validating proceedings taken for the issuance of such bonds and the purchase of such turnpike or toll roads and bridges.

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

1. Whenever any bonds have heretofore been directed to be issued and sold by the board of chosen freeholders of any county, for the purpose of purchasing the whole or any part of any turnpike or toll road, including the bridges forming a part thereof, to an amount not exceeding the purchase price thereof, less the amount actually received therefor, out of the State road appropriation, the said bonds and the proceedings taken for the issuance and sale thereof, and for the purchase of such turnpike or toll road and bridges are hereby confirmed and validated, notwithstanding the fact that the amount so received from the State road appropriation was not more than one-third of the cost of such turnpike or toll road exclusive of the cost of the bridges, and notwithstanding any irregularity in said proceedings, provided that the contract for such purchase has been approved by the State Commissioner of Public Roads, and provided that said bonds shall not have been sold or be sold below par, and shall mature in not exceeding thirty years from the date thereof and bear interest at not exceeding five per centum per annum. Such bonds shall be in such denominations and executed in such form and by such officers as may heretofore have been directed or may hereafter be directed by the board of chosen freeholders, and when delivered and paid for shall constitute valid and binding obligations of the county issuing the same.

Validating bonds issued for purchase of turnpikes and bridges.

Approval.

Time.

Rate.

2. This act shall take effect immediately.

Approved February 14, 1912.

CHAPTER 3.

An Act providing for the erection and equipment of a hospital at the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives, at Vineland.

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

Hospital at soldier's home at Vineland.

1. The board of managers of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives, at Vineland, be and they are hereby authorized to erect and equip a hospital at the aforesaid home. Said hospital building to be of brick or other substantial material. The plans for the erection of said building herein authorized shall be prepared by the Commissioner of Charities and Corrections.

Plans.

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 board 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.

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

Act repealed.

6. An act entitled "An act for the enlargement of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives, at Vineland," chapter fifty,

page seventy-two, etc., P. L., nineteen hundred and ten, and the same is hereby repealed.

7. This act shall take effect immediately.

Approved February 19, 1912.

CHAPTER 4.

An Act to enable villages to construct, purchase or acquire water works and a plant for the supply of water for domestic and public use, and to operate and maintain the same.

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

1. It shall be lawful for the board of trustees or other governing body of any village in this State to provide for, cause to be constructed, or purchase, and to operate and maintain water-works and a plant for the supply of water for domestic and public use; for that purpose to cause to be made surveys, plans and estimates by competent engineers and mechanics, to enter upon any and all lands within the limits of such village, or in the neighborhood thereof, and to make all such preliminary examinations, explorations, measurements and levelings as may be necessary and proper for its corporate purposes in respect to a water-supply, doing thereby as little damage as possible to the owner or owners of said lands; to take and convey from such source or sources as may be practicable, within or without said village, into and through the same, a supply of water for domestic and public use; said trustees may, in the name and in behalf of said village, purchase, take, hold and enjoy and convey and dispose of all and such real and personal estate as may be necessary for the purpose of this act, and may contract for, construct and maintain wells, canals, aqueducts, reservoirs, basins, stand-pipes, buildings, machinery and appurte-

Water supply in villages.

Plans, etc.

Take water.

Acquire property.

Reservoirs, pipes, etc.

nances of every kind that may be necessary and useful for such purposes, and may lay and re-lay water pipes under any avenue, road, railroad, highway, street, lane or alley within the said village.

May acquire rights, property, etc., by condemnation.

2. In case the trustees cannot agree with the owner or owners or other persons interested in any lands, property or water-rights, whether within the limits of such corporation or in the neighborhood thereof, which the village may desire to take, use and occupy or from which lands they may desire to take or divert, either in whole or in part, any spring or springs, stream or streams of water, as to the amount of compensation to be paid to such owner or owners for such taking, use, occupation or diversion, or cannot for any reason acquire such property or rights by agreement with the owner or owners thereof, said trustees may proceed to acquire such lands, property or water-rights by condemnation thereof; and all such condemnation proceedings shall be taken and prosecuted under and in accordance with the provisions of an act entitled, "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900)," approved March twentieth, one thousand nine hundred, and the several supplements thereto and amendments thereof; *provided*, that no lands or water shall be condemned, nor any water diverted from any source until such village shall first have obtained the consent and approval of the State Water Supply Commission thereto, as now provided by law.

Proviso.

Regulations for safety of supply and plant.

3. The trustees shall have the power and they are hereby authorized to make, ordain and establish all such ordinances, resolutions and regulations as said body may deem necessary and proper for the distribution, supply, use and protection of the said water, and the safety, security and protection of the buildings, machinery, canals, aqueducts, reservoirs, wells and other words and appurtenances thereto, and for fixing and collecting the water-rents or prices for water; they may erect such number of public hydrants and fire-plugs in such places as they shall see fit, and direct in what manner and for what purposes the same shall be used.

Public taps.

Use of water-rents.

4. Such portions of the moneys received from the water-rents or prices paid for the use of water and interest on arrears of water-rents as may remain after paying all expenses and costs for purchasing water-works, or for constructing or maintaining water-works, and raising and distributing the water, and salaries, wages, incidental expenses and charges, shall be applied by said body first to the payment of the interest upon the debt created for the purpose and construction of the works, and next to the payment of the bonds issued therefor, if the same can be obtained at reasonable rates, or, if that cannot be effected, then to be safely invested by commissioners of the sinking fund of the said village, if any there be, and if none, then by the said trustees, and allowed to remain as a sinking fund to be applied to the re-payment of the bonds at maturity.

Sinking fund.

May contract for water supply.

5. It shall be lawful for the trustees to enter into and make a contract with the governing body of any municipality or with any water company for a term of five years or less for the obtaining and furnishing of a supply of water to be used in said village for domestic and public purposes at such rates and upon such terms as can be mutually agreed upon.

Water rates.

6. The trustees may supply the water so obtained to the inhabitants of the village upon such terms, rents, rates, prices and regulations as may be determined upon by the said trustees, and for that purpose may, by contract or otherwise, lay all necessary pipes, mains and fire hydrants under and through the streets and highways of the village.

Extension of mains.

7. When any village shall have obtained a supply of water and laid water mains by any method whatever, it shall be lawful to extend such mains as the necessities of said village may require, and as in the judgment of the trustees may seem expedient.

May supply water to outside municipalities.

8. Such village shall have authority to furnish water to individuals and corporations, and to other municipalities in this State for domestic and public purposes, and shall by resolution, establish such general rates of price, and times of payment therefor, as it may deem proper,

Regulations.

and prescribe such rules, regulations, conditions and restrictions as to the use of the same as may, in its opinion, be necessary to prevent abuse and secure the village from any loss or damage by reason of the non-payment of its bills rendered, or for any violation of the due observance of the rules, regulations, conditions and restrictions so prescribed as aforesaid.

Deficiency met by taxation.

9. In case the rents and income from the operation of the village system of water-works or water-supply plant or from the sale and distribution of water shall not be sufficient to provide for the interest on any bonds that may have been issued therefor and the payment of the said bonds at their maturity, together with the cost of maintenance and operation of said water system or water-supply plant, the trustees shall have authority, by ordinance, to levy and collect by taxation such sums as in their judgment may be necessary to supply the deficiency.

May borrow funds.

10. The said board of trustees or other governing body are hereby authorized by, and in the corporate name of such village to borrow any sum not exceeding five per centum of the assessed valuation of such municipality, for the purpose of defraying all the expenses and the cost of the purchase of real estate, water-rights, works and appurtenances and of maintaining and extending the same, and for the purpose of defraying all the expenses and the cost of such other lands, building, or water privileges as shall be purchased or taken for the purpose of this act, and for the purchase of materials, the laying of pipes and mains in the said village, and constructing all works necessary to the full accomplishment thereof, and all expenses incidental thereto; and to secure the payment thereof, it shall be the duty of said trustees or other governing body of said village from time to time, to issue the bonds of said village for an amount not exceeding in the whole five per centum of the assessed valuation of such village, which bonds shall bear a rate of interest not exceeding five per centum per annum, payable semi-annually, the principal thereof to be payable at such time and in such manner as the said trustees or other governing body

Bond issue.

Rate.

of said village may deem expedient; *provided,* that said bonds shall be payable not more than thirty years from the date thereof; and it shall be the duty of the governing body of said village to make public or private sale of the bonds so issued, as aforesaid, at not less than their par value, and to pay the proceeds of said sales into the treasury of said village, to be used by said trustees or other governing body of said village to the discharge of the duties imposed upon them by this act; the bonds hereby authorized shall be called the water bonds of said village. Proviso. Sale of bonds. Proceeds.

11. That the bonds issued under the provisions of this act shall not be liable to any tax which may hereafter be levied by order of the said village. Tax exemption.

12. In order that such bonds may be paid at maturity, the trustees of such village, shall provide a sinking fund sufficient to pay such bonds at maturity, but not less than one per centum of the face value of the bonds shall be raised annually, and at the time and in the manner provided for the raising of other moneys to be raised by taxation in such village. The moneys so raised for sinking fund purposes shall be paid to the commissioners of the sinking fund of said village, to be used by them for the purposes herein mentioned. Sinking fund.

13. The village, upon such terms as it may deem reasonable and just, shall have power to employ proper persons in the management of the plant aforesaid, and in the collection of the bills for water furnished to private or other consumers. Management.

14. For the purpose of defraying the costs and expenses of the construction and acquisition of such lands, water plant and appurtenances, as authorized by this act, the governing body of said village may, if necessary, borrow money and secure the payment of the same by the notes and other temporary obligations of such village; these notes and obligations may be renewed from time to time until the work of such construction and acquisition be done, and may be paid off out of the proceeds of the water bonds hereinabove provided for. In determining the total cost of the property and works purchased or acquired for the purposes mentioned in Temporary loans. Total cost.

this act, the amount of such notes and temporary obligations so issued, together with all interest paid or accrued thereon, shall be included.

Repealer.

15. This act shall take effect immediately, and all acts or parts of acts, general or special, inconsistent herewith, are hereby repealed.

Approved February 20, 1912.

CHAPTER 5.

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, nineteen hundred and four.

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

Section 20 amended.

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

Proper ventilation.

20. The owner, agent or lessee of a place coming under the provisions of this act shall provide, in each work-room thereof, proper and sufficient means of ventilation, and shall maintain proper and sufficient ventilation; if excessive heat be created or if steam, gases, vapors, dust or other impurities that may be injurious to health be generated in the course of the manufacturing process carried on therein, the room shall be ventilated in such a manner as to render them harmless, so far as is practicable; in case of failure, the Commissioner of Labor shall order such ventilation to be provided. Such owner, agent or lessee shall provide such ventilation within twenty days after the service upon him of such order, and in case of failure, shall be liable

Penalty for not complying.

to a penalty of ten dollars for each day after the expiration of such twenty days, to be recovered by the Commissioner of Labor as hereinafter provided. If, in a place coming under the provisions of this act, glazing or polishing on a wheel or any process is carried on by which dust or any gas, vapors or other impurity is generated in such a manner as to be inhaled by the employes to an injurious extent, and it appears to the Commissioner of Labor that such inhalation could be to a great extent prevented by a fan or other mechanical means, the Commissioner of Labor may order the owner, agent or lessee of such place to provide a fan or other mechanical means of a proper construction for preventing such inhalation within twenty days after the service upon him of such order in writing, and such owner, agent or lessee shall provide such fan or other mechanical means as stated in said order within the time therein stated, and in case of failure so to do, he shall be liable to a fine of ten dollars for each day after the expiration of the time given by such order to make the change.

Prevention of unhealthy inhalations.

Provide fans.

Penalty.

Approved February 26, 1912.

CHAPTER 6.

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, nineteen hundred and four.

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

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

Section 13 amended.

Guards about machinery.

13. The owner or person in charge of any of the places coming under the provisions of this act, where machinery is used, shall provide, in the discretion of the commissioner, friction clutches for stopping shafting, and belt shifters or other mechanical contrivances for the purpose of throwing on or off belts or pulleys; whenever practicable, all machinery shall be provided with loose pulleys; all vats, pans, saws, planers, power presses, foot presses, cogs, gearing, belting, shafting, set-screws, drums and machinery of every description shall be properly guarded; no person shall remove or make ineffective any safeguard around or attached to such machinery, vats or pans while the same are in use, unless for the purpose of immediately making repairs thereto, and all such safeguards so removed shall be promptly replaced; if the machinery, or any part thereof, or any vat, pan or vessel containing molten metal or hot liquid is in a dangerous condition or is not properly guarded, the use thereof may be prohibited by the commissioner, and a notice to that effect shall be attached thereto; such notice shall not be removed until the machinery is made safe and the required safeguards are provided; and in the meantime such unsafe or dangerous machinery, vats, pans, or vessels containing molten metal or liquid shall not be used; when, in the opinion of the commissioner, it is necessary, the halls or other portions of a building shall be provided with proper lighting facilities.

Safeguards must be maintained.

Machinery, vessels, etc., in bad condition not to be used.

Proper lighting.

2. This act shall take effect immediately.

Approved February 26, 1912.

CHAPTER 7.

A Supplement to an "Act to provide for a new publication of the public acts of the Legislature of this State," approved April twelfth, one thousand nine hundred and ten.

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

Distribution of additional copies.

1. That in addition to the distribution of the five hundred sets of the compiled statutes of New Jersey as provided in section four of said act, said distribution shall be as follows:

Allotment.

2. One set to each judge of the District Court in this State; one set to the clerk of each District Court in this State, there to remain in the office of the said clerk; one set to each sheriff in this State, there to remain in the office of the said sheriff, and one set for the New Jersey Reformatory at Rahway.

3. This act shall take effect immediately.

Approved February 26, 1912.

CHAPTER 8.

An Act to validate and confirm elections and other proceedings held or taken in any borough for the issuance of bonds, and to validate and confirm bonds or obligations issued in conformity with propositions adopted at such elections, and to authorize the issuance of bonds to the amount and as provided in such propositions.

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

Bond issue validated.

1. Whenever an election has heretofore been called and held in any borough for the adoption of a proposition to issue bonds, and the notice of election stated the amount of the bonds and the purpose for which they were issued, and a majority of the votes cast at such election were in favor of the adoption of such proposition, the said election and the proposition and all resolutions and other proceedings in relation to the issuance of such bonds are hereby validated and confirmed, and all bonds or obligations issued or to be issued in conformity with such proposition are validated and confirmed, and the issuance of bonds or obligations of such borough to the amount and as provided in such proposition are hereby authorized, notwithstanding the notice of election was first published in a newspaper less than thirty days prior to the election, and notwithstanding the fact that the proposition as stated in the election notice and the ballot referred to the resolution calling the election and not to the resolution determining the necessity for the issuance of said bonds; *provided,* that said bonds shall mature and bear interest as provided by an act entitled "A general act relating to boroughs (Revision 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Proviso.

as amended, and that in no case shall the amount of bonds so issued or to be issued, together with all other outstanding bonds of said borough, exceed fifteen per centum of the amount of the assessed value of property of said borough, as shown by the last assessment of value thereof. Limit to bond issue.

2. This act shall take effect immediately.

Approved February 26, 1912.

CHAPTER 9.

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 violation," approved April twelfth, one thousand nine hundred and six.

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. Motor vehicle tires may be fitted with chains when roads, streets and highways are slippery because of rain, snow, ice, oil or manner of constructions; *provided, however,* that no chains shall be used at any time on the improved highways when the same are dry, or their condition does not make such use necessary for the safety of life or property. Use of chains on tires. Proviso.

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 February 26, 1912.

CHAPTER 10.

An Act to prohibit the pollution of water used by a State fish hatchery.

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

Preservation of purity of water used by hatchery.

1. It shall be unlawful for any person or corporation to put or place in any water used by a State fish hatchery any explosive or poisonous substances whatever, or any drug or any poison bait, or to allow any dye stuff, coal or gas tar, coal oil, saw dust, tan bark, cocculus indicus (otherwise known as fish berries), lime, vitriol or any of the compounds thereof, refuse from gas houses, oil tanks or tanneries, or any deleterious, destructive or poisonous substances of any kind or character, to be turned into or allowed to run, flow, wash or be emptied, or find its way, into any water used by a State fish hatchery, or to erect or maintain any privy, water closet, pig-sty, hog-pen, inclosure for poultry, barn or barn-yard, in which animals or poultry are kept, or drain from any building or the cellars thereof, where drainage or refuse therefrom will find its way into water used by a State fish hatchery. In case of the pollution of water used by a State fish hatchery, by substances known to be injurious to fish or fish food, it shall not be necessary to prove that such substances have actually caused the death of any particular fish.

Penalty.

2. Any person violating any of the provisions of this act shall on conviction thereof be subject to a penalty of five hundred dollars.

Enforcement of act.

3. This act shall be enforced in accordance with the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-

ninth, one thousand eight hundred and ninety-seven, and the amendments and supplements thereto.

4. This act shall take effect immediately.

Approved February 26, 1912.

CHAPTER 11.

An Act creating the Valley Forge Revolutionary Encampment Commission and defining its powers and duties.

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

Commission appointed by Governor.

1. The Governor of this State is hereby authorized to appoint five persons, residents of this State, who shall constitute, and are hereby appointed, a board of commissioners by the name and style of the "Valley Forge Revolutionary Encampment Commission." The term of such commissioners shall be for five years, and no member of such commission shall receive any compensation for his services, and in case of death or vacancy, the Governor shall have the authority to fill such vacancy. Three of such commissioners shall constitute a quorum at any stated or specially called meeting.

Term.

Quorum.

Officers.

2. This commission shall elect a president, secretary and treasurer from their number, and said commissioners shall have power and authority to arrange with the State of Pennsylvania for the use and occupation of the lands occupied by the New Jersey troops at Valley Forge Encampment, West Chester and Montgomery counties, during the years of one thousand seven hundred and seventy-seven and one thousand seven hundred and seventy-eight, and have the same suitably marked with granite posts and a granite shaft, bearing the inscription of the names of the troops, and the commanding officer or officers, and such other inscription as shall be suitable to commemorate the memory of the New Jersey troops, quartered there during the Revolutionary War.

Markers.

Appropriation.

3. The said commission is hereby authorized to expend the sum of five thousand dollars for the erection of a granite shaft and markers.

Contract for markers.

And the said commission is hereby authorized to enter into negotiations with the State of Pennsylvania, or the Valley Forge Encampment Park Commissioners, for the erection of said markers and granite shaft, and to advertise for proposals for marking the site occupied by the New Jersey troops during the years one thousand seven hundred and seventy-seven and one thousand seven hundred and seventy-eight, and for all such other matters that are incident thereto, not exceeding the appropriation herein made for the same.

4. This act shall take effect immediately.

Approved February 26, 1912.

CHAPTER 12.

An Act to amend an act entitled, "An act to license non-residents of the State of New Jersey, to hunt, pursue and kill game and fowl," 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 4 amended.

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

Limit to game taken from State.

4. Any person licensed under the provisions of this act may, in any one day, remove from the State reed birds and rail birds to a number not exceeding fifty of each specie, other birds to a number not exceeding fifteen, and rabbits to a number not exceeding ten; *provided, however,* that no removal shall be made except the birds or rabbits be exposed to open view.

Proviso.

2. This act shall take effect immediately.

Approved February 26, 1912.

CHAPTER 13.

An Act to regulate the display of the National flag upon county and municipal buildings of this State.

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

Flag displayed on county and municipal buildings.

1. That the governing bodies of the respective counties and cities of this State shall procure a United States flag, flag-staff and the appliances therefor for the court house and city hall of the respective counties and cities of this State, and shall display said flag upon or near said court house or city hall during business hours and at such other times as said governing bodies may deem proper.

2. This act to take effect immediately.

Approved February 26, 1912.

CHAPTER 14.

An Act to amend an act entitled "An act for the settlement and relief of the poor (Revision of 1911)," approved April twenty-first, one thousand nine hundred and eleven.

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

Parts of section 9 amended.

1. Subdivision (a), (e), (f) and (h) of section nine of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Five years' residence.

(a) Every person of full age, who shall be a resident and inhabitant of any municipality for five years without being a recipient of public or private relief during said five years, shall be deemed settled in such

municipality, and shall so remain until he shall have gained a like settlement in some other municipality, or shall remove from this State and remain therefrom for five years;

Minors separated from parents.

(e) Every minor whose parent has no settlement in this State, who shall have resided five years without interruption in any municipality, shall thereby gain a settlement within such municipality; *provided, however,* that no minor who shall be brought into this State, or placed out in any family therein by any person, society or corporation of any other State, shall gain a settlement under this act;

Proviso.

Married women.

(f) Every married woman whose husband has no settlement in this State, who shall have resided five years without interruption or being the recipient of public or private relief in any municipality, shall thereby gain a settlement within such municipality;

Minors serving for wages.

(h) Every minor, by being hired and actually serving five years for wages paid to him, shall thereby gain a settlement in the municipality of such service.

2. This act shall take effect immediately.

Approved February 26, 1912.

CHAPTER 15.

An Act to provide for suitable representation by the State of New Jersey at the coming celebration, at Gettysburg, Pennsylvania, of the fiftieth anniversary of the battle of Gettysburg.

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

Detail of veterans at Gettysburg celebration.

1. With the approval of the Governor, the Major-General, Commanding Division, National Guard, is hereby authorized to make a detail of all honorably discharged union veterans of the Civil War, who took part

in the battle of Gettysburg, now residing in this State, to participate, representing the State of New Jersey, at the coming celebration at Gettysburg, Pennsylvania, of the fiftieth anniversary of the battle of Gettysburg, on the first, second, third and fourth days of July, nineteen hundred and thirteen.

Appropriation.

2. So much money as may be necessary to carry out the provisions of this act is hereby appropriated when included in the annual appropriation bill to be paid by the State Treasurer, on the approval of the Major-General, Commanding Division, upon warrant of the Comptroller.

3. This act shall take effect immediately.

Approved February 27, 1912.

CHAPTER 16.

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, nineteen hundred and three.

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 act is amendatory be amended so as to read as follows:

Trapping rabbits.

2. Nothing in this act shall be so construed as to prevent farmers and fruit-growers from trapping rabbits in box traps during the entire year; *provided, however,* that such trapping shall be done on the property owned or leased for the raising of fruit, vegetables or other produce by the person so trapping; *and provided,* that the person so trapping shall first have made an affidavit before a justice of the peace that rabbits

Proviso.

Proviso.

have injured fruit, vegetables or other produce on his or her premises, and shall have immediately sent the same to the president of the fish and game commission, who, upon the receipt of the said affidavit, shall, in his discretion, issue to said person a permit to so trap, and

Disposition of rabbits.

the person so trapping shall keep the rabbits alive, and notify the fish and game warden of the county, who shall liberate said rabbits in such parts of the State as may be directed by the Board of Fish and Game Commissioners; *provided, further,* that no person or persons shall be permitted to barter or sell any rabbits so trapped.

Proviso.

2. This act shall take effect immediately.

Approved February 28, 1912.

CHAPTER 17.

An Act regulating fishing in the waters of the tributaries of the Delaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows.

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

Game fish designated.

1. For the purposes of this act the following fish shall be designated as game fish, to wit: Black bass or small-mouth bass; large-mouth bass, otherwise called Oswego or yellow bass, strawberry or calico bass; rock bass, otherwise known as red-eye or goggle-eye; white bass, crappie, pike-perch, otherwise called wall-eyed pike or Susquehanna salmon; pike, pickerel, white perch, yellow perch, charr, commonly called brook or speckled trout, or any form of trout. The following

Bait fish.

shall be designated as bait fish, to wit: All species of minnows, killi-fishes and stone catfish. All other species or varieties of fish whatsoever shall be designated

Food fish.

as food fish.

Catching game fish.

2. It shall be unlawful to catch or fish for any game fish in any waters of the tributaries of the Delaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows, with any device or by any means or method whatsoever, excepting with rods and lines or hand-lines, commonly called dipsey or throw-lines, each having not more than three hooks, or with trolling-lines with spoon or artificial bait, having not more than one burr of three single hooks attached. The number of rods and lines, or the number of trolling-lines, not to exceed two of one or the other device named, and said lines must be under the direct and immediate supervision of the person fishing therewith. Any person violating any of the provisions of this section shall, on conviction thereof, be subject to a fine of twenty dollars.

Penalty.

Taking bait fish.

3. It shall be unlawful to fish for bait fish in the waters of the tributaries of the Delaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows, except with the following devices, to wit: Rods and lines and hand-lines with not more than three hooks attached; a minnow seine not more than one hundred feet in length; a dip net not more than five feet square; a minnow trap, the opening of which shall not be more than one and one-quarter inches in diameter; a scoop net with a single handle and with a diameter of not more than two feet. Any person who uses any other device, method or means of catching bait fish, other than those specified in this section, shall, on conviction thereof, be subject to a fine of twenty dollars.

Penalty.

Catching food fish.

4. It shall be unlawful to fish for food fish in the waters of the tributaries of the Delaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows, with any device, method or means, excepting by the following devices, and under regulations and restrictions hereinafter described, to wit: A seine, a gill net, an eel pot or fyke net, each without wings, a parallel net, or stake net at the edge of low water, and rods and lines, or hand-lines, otherwise known as dipsey or throw-lines, each having not

Penalty.

more than three hooks. Any person who shall use or employ any method or device for catching food fish other than those named in this section or shall use or employ any device named in this section, contrary to the regulations and restrictions hereinafter mentioned, shall be subject to a fine of twenty dollars.

Sturgeon fishing.

5. It shall be unlawful for any person to catch and take, or attempt to catch and take, sturgeon from the waters of the tributaries of the Delaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows, with any device excepting a seine or a gill net, the meshes of which shall not be less than thirteen inches, stretched measure, while being fished, or to catch and take, or attempt to catch and take, any other food fish from said water with a seine, the meshes of which shall be less than two and one-half inches, stretched measure, while being fished, or any gill net, the meshes of which shall be less than five and one-quarter inches, stretched measure, while being fished; provided that gill nets with a mesh not smaller than three inches may be used from March first to June tenth in each year for the purpose of taking herring only. It shall also be unlawful for any person to catch and take, or attempt to catch and take, any food fish, except sturgeon, by means of a seine or gill net between the tenth day of June in each and every year and the first day of March next ensuing. Any person who shall violate any of the provisions of this section shall, on conviction thereof, be subject to a fine of one hundred dollars, together with a forfeiture of all nets, boats and appliances used.

Size of mesh.

Catching herring.

Closed season.

Penalty.

Pound nets prohibited.

6. It shall be unlawful for any person to catch and take, or attempt to catch and take, fish of any kind from the waters of the tributaries of the Delaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows, with a pound net, or net of any character, which is anchored or staked or fastened down in any manner, permanently or otherwise, or to use any net so anchored or fastened down in any manner. Any person who shall violate any of the provisions of this section shall, on conviction thereof, be

Penalty.

subject to a fine of twenty dollars, together with the forfeiture of boats, nets and other appliances used.

Closed hours during week.

7. It shall be unlawful for any person to catch or take, or attempt to catch and take, fish of any kind or description from the waters of the tributaries of the Delaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows, by means of a net, or to use a net of any character in the waters aforesaid from Saturday at two P. M. until Sunday at twelve o'clock midnight next ensuing in each week. Any person violating any of the provisions of this section shall, on conviction thereof, be subject to a fine of one hundred dollars, together with a forfeiture of all nets, boats and other appliances used.

Penalty.

Rod and line fishing permitted.

8. It shall be lawful to catch food fish with rods and lines and hand-lines, and trolling-lines, as described in section four of this act, at any time of the year, in the waters of the tributaries of the Delaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows, but it shall be unlawful to fish for and take game fish, excepting from the fifteenth day of June to the first day of December, inclusive, in each year. Any person violating any of the provisions of this section shall, on conviction thereof, be subject to a fine of ten dollars for each and every fish so taken.

Penalty.

Use of eel pots and fyke nets.

9. It shall be unlawful to use eel pots and fyke nets, each without wings, in the waters of the tributaries of the Delaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows, from June first to July first in each year, both dates inclusive, but it shall be lawful to use eel pots and fyke nets, each without wings, from July first to May thirty-first, both dates inclusive, in each year, for the purpose of catching carp, catfish, eels, and suckers only. All other species of fish which may be caught in said nets must be returned unharmed immediately to the waters from which taken; provided, that the entrance of said eel pot and fyke net shall not be more than six inches in diameter and the outside diameter not more than thirty inches. Any person violating any of the pro-

Certain fish returned to water.

Penalty.

visions of this section shall, on conviction thereof, be subject to a fine of twenty dollars, together with a forfeiture of all nets, boats and appliances used.

Use of parallel nets.

10. It shall be unlawful to use a parallel net, otherwise a net set approximately parallel with the shore, in the waters of the tributaries of the Deaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows, and at low-water mark, between the first day of June and the thirty-first day of August in each year, and it shall be lawful to use such parallel net from the first day of September to the thirty-first day of May, inclusive, next ensuing in each year, for the purpose of taking carp only; provided, that the meshes of said net be not less than three and one-half inches, stretched measure, when being fished; provided, that seines not smaller than two and one-half-inch mesh and cast nets may be used from September first to May thirty-first of each year, for the purpose of taking catfish, carp and suckers only; and provided further, that no such net shall be set in such manner as to impede navigation. All other fish than catfish, carp and suckers must be returned unharmed to the water beyond low-water mark. Any person violating any of the provisions of this section shall, on conviction thereof, be subject to a fine of one hundred dollars, together with a forfeiture of all nets and other appliances used.

Proviso; size of meshes.

Proviso.

Proviso.

Penalty.

Size of fish allowable to be taken.

11. It shall be unlawful for any person to catch and take, or attempt to catch and take, from the waters of the tributaries of the Delaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows, in any manner whatsoever, any striped bass, otherwise known as rockfish, weighing more than twenty pounds or measuring less than ten inches in length, or any sturgeon less than five feet in length, or any black bass, or any small-mouth bass, otherwise known as Oswego or yellow bass, less than nine inches in length, or any pike, or pickerel, or any pike-perch, otherwise known as wall-eyed pike or Susquehanna salmon, less than twelve inches in length, or any calico or strawberry bass, crappie, white bass, rock bass, other

wise known as red-eye or goggle-eye, or trout or charr, less than six inches in length. Any fish of a less length than those described, or any striped bass, commonly called rockfish, weighing more than twenty pounds, which may be caught, must be returned immediately to the water; *provided,* that nothing in this section shall be so construed as to prevent the fishery authorities of the State of New Jersey capturing fish of any size from said waters, or at any time of the year, or in any manner, for propagating purposes and stocking other waters in the State through its authorized representatives. Any person who shall violate any of the provisions of this section shall, on conviction thereof, be subject to a fine of ten dollars for each and every fish so caught and had in possession.

Proviso.

Penalty.

12. It shall be unlawful for any person, by boat, anchor, dredge or otherwise, in the waters of the tributaries of the Delaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows, to willfully and without reasonable cause interfere with, break, damage or destroy any drifting gill net or hauling seine or nets of any description being lawfully used. Any person violating any of the provisions of this section shall, on conviction thereof, be subject to a fine of twenty dollars.

Damaging nets forbidden.

Penalty.

13. It shall be unlawful for any person to put or place in the waters of the tributaries of the Delaware river, in this State, between Trenton Falls and Birch Creek, wherein the tide ebbs and flows, any explosive or poisonous substances, whatsoever, or any drug or any poison bait for the purpose of catching, taking, killing or injuring the fish, or to allow any dye stuff, coal or gas tar, coal oil, sawdust, tan bark, cocculus indicus (otherwise known as fish berries), lime, vitriol, or any of the compounds thereof, refuse from gashouses, oil tanks or vessels, or any deleterious, destructive or poisonous substances of any kind or character to be turned into or allowed to run, flow, wash or be emptied into any of the waters aforesaid, unless it is shown that every practicable means has been used to prevent the pollution of waters in question by the

Pollution, etc., of water unlawful.

escape of deleterious substances. In the case of the pollution of waters by substances known to be injurious to fishes, or to fish food, it shall not be necessary to prove that such substances have actually caused the death of any particular fish. Any person violating any of the provisions of this section shall, on conviction thereof, be subject to a fine of two hundred dollars.

Penalty.

Sale of fish.

14. It shall be unlawful to purchase, sell or offer for sale, or have in possession, any fresh dead game fish, or food fish, except during the lawful period for catching the same, and the space of six days after such period has expired. Any person violating any of the provisions of this section shall, on conviction thereof, be subject to a fine of ten dollars for each fish.

Penalty.

Interference with fish wardens.

15. Any person or persons who shall, by threat, menace or force, or in any manner, attempt to deter or prevent any fish warden or other person authorized to make arrests for violation of the fish laws of this State from enforcing or carrying into effect any provisions of this act, or who shall resist arrest or the seizure of boats or nets illegally used, shall, on conviction thereof, be subject to a fine of one hundred dollars.

Penalty.

Acts repealed.

16. The following acts are hereby repealed:

"An act relative to fishing in the Rancocas Creek, in the county of Burlington," approved April seventeenth, one thousand eight hundred and forty-six.

"An act further relative to fishing in the Rancocas Creek, in the county of Burlington," approved March thirtieth, one thousand nine hundred and eleven.

Procedure to enforce act.

17. The procedure for enforcing the provisions of this act shall be the same in all respects, as provided for in an act of the Legislature 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.

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

Approved February 28, 1912.

CHAPTER 18.

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

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

Section 1 amended.

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

Names and addresses of insurance brokers filed.

1. Hereafter every fire insurance company doing business in this State and each agent thereof shall file with the Commissioner of Banking and Insurance, within fifteen days after the thirtieth day of June and the thirty-first day of December of each year, a sworn statement, on blanks furnished by said commissioner, setting forth the names and addresses of all brokers who have done business through said companies or agents during the preceding six months.

Section 2 amended.

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

License and use of number.

2. The Commissioner of Banking and Insurance shall assign a number to each fire insurance broker licensed to do business in this State, and on every policy of fire insurance effected by said broker there shall be stamped or written by him on the outside of the policy, in such manner as to be plainly visible, the following: "This policy effected through (name of broker), a licensed New Jersey broker, numbered (license number of broker), (name and location of broker).

Repealer.

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

Approved February 28, 1912.

New Jersey State Library

CHAPTER 19.

Supplement to an act entitled "An act to protect the owners of bottles, boxes, siphons, tins, kegs or other articles used in the sale of soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer, or other beverages or medicines, medical preparations, perfumery, oils, compounds or mixtures," approved April eighth, one thousand eight hundred and ninety-eight.

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

Copy of description as evidence in court.

1. A copy of the description duly certified by the clerk of the county where said description has been filed, as provided for in section two of the act to which this act is a supplement, and where a person or corporation shall manufacture or bottle outside of the State, then, in addition, a copy of the description duly certified by the Secretary of State, shall be received as evidence in all courts and places.

Evidence of publication.

2. The affidavit of the printer or publisher of a newspaper published within this State, or of his foreman or principal clerk, showing the publication of the notice required by this act, annexed to a printed copy of the notice as published, shall be received as evidence of the publication, and also of the matters therein stated, in all courts and places.

3. This act shall take effect immediately.

Approved February 28, 1912.

CHAPTER 20.

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:*

Penalty for having English pheasant.

1. It shall be unlawful for two years from the passage of this act to capture, kill, injure, destroy, or have in possession, any female English or ring-neck pheasant, under the penalty of twenty dollars for each offense, to be recovered in accordance with the provisions of the act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the amendments thereof and the supplements thereto; *provided, however,* that this act shall not apply to English or ring-neck pheasants killed or had in possesion on game preserves, the owners or lessees of which are duly licensed by the Board of Fish and Game Commissioners.

Proviso.

2. This act shall take effect immediately.

Approved February 28, 1912.

CHAPTER 21.

An Act authorizing municipalities of this State to appropriate moneys for the celebration of the one hundredth anniversary of the founding or incorporation of such municipalities.

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

Municipalities may appropriate money to observe centenary.

1. It shall be lawful for the common council, or other governing body of any municipality of this State, in addition to the powers conferred upon them by their respective charters, or by law, to appropriate a sum not exceeding three thousand dollars for the celebration of the one hundredth anniversary of the founding or incorporation of such municipality.

2. This act shall take effect immediately.

Approved February 28, 1912.

CHAPTER 22.

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

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

Use of power boats in taking clams.

1. It shall be unlawful to use or employ any boat or other vessel propelled wholly or in part by steam, gasoline, electricity or any other mechanical motive power, or any motor driven apparatus, for the purpose of catching or taking of clams from any of the waters of this State, whereby the soil or bottom of which the said clams are found is agitated or disturbed by the propeller

wheel or wheels of said boats or other motor driven apparatus for the purpose of catching or taking of clams as aforesaid.

Penalty; confiscation of boat, tackle, etc.

2. Any person being in charge of such boat or apparatus so propelled and used, or so propelled or so used for such purpose, shall be guilty of a misdemeanor, and any boat or other vessel propelled wholly or in part by such mechanical motive power or such other motor driven apparatus so engaged or used, shall be forfeited together with all tongs, dredges, tackle, furniture and appurtenances thereunto belonging, and shall be seized, secured and disposed of in the manner prescribed in the act, to which this is a supplement.

Repealer.

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

Approved February 28, 1912.

CHAPTER 23.

An Act to amend an act entitled "An act concerning marriages (Revision of 1910)," approved April eleventh, one thousand nine hundred and ten.

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

Section 2 amended.

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

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, recorder and police justice and mayor of this State, and every ordained minister, 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.

Section 12 amended.

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

License and certificate transmitted to issuing officer.

12. It shall be the duty of every judge of any Court of Common Pleas, recorder, police justice, mayor, minister of the Gospel, and other person who shall solemnize any marriage in this State, or clerk or keeper of the minutes of any religious society, institution or organization, before which any marriage 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.

3. This act shall take effect immediately.

Approved February 28, 1912.

CHAPTER 24.

An Act to secure the purity and wholesomeness of shellfish.

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

Inspection of oyster and clam beds by State Board of Health.

1. It shall be the duty of the Board of Health of the State of New Jersey to inspect, or cause to be inspected, as often as said board may deem necessary, the various oyster and clam beds and other places within the jurisdiction of or forming a part of the State of New Jersey

from which oysters, clams or other shellfish are taken to be distributed or sold for use 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, clams or other shellfish in such places, or which are taken therefrom, for use as food.

Beds dangerous to health condemned.

2. If the State Board of Health discovers that any oyster or clam bed, or other place from which oysters, clams or other shellfish are or may be taken for use as food, is subject to pollution, or to any other condition which may render the oysters, clams or other shellfish in such places, or which may be taken therefrom, dangerous to health, it shall be the duty of said board to immediately condemn such oyster or clam bed or other place, and to prohibit the taking of oysters, clams or other shellfish from such places for distribution or sale as food, and also to prohibit the sale, distribution, offering for sale or having in possession with intent to distribute or sell any such oysters, clams or other shellfish.

Evidence of use as food.

3. For the purpose of this act, the distribution, sale, offering for sale, or having in possession with intent to distribute or sell any oysters, clams or other shellfish shall be prima facie evidence that such oysters, clams or other shellfish were intended for use as food.

No pollution allowable.

4. No excremental or other polluting matter of any kind or character whatever shall be discharged into or placed in the waters, or placed or suffered to remain upon the banks of any stream or tributary thereof or body of water in which shellfish grow, or are or may be placed; *provided, however,* that nothing in this section shall apply to the discharge of sewage or drainage into such stream, tributary or body of water by municipalities of this State.

Proviso.

Rules, regulations, etc.

5. The State Board of Health shall have power to adopt, promulgate and enforce such rules and regulations as shall promote the purposes of this act and they shall also have power to make such specific orders regarding the growing and handling of shellfish and the disposal of polluting matter which may affect the purity of shellfish as they may deem necessary to enforce the provisions of this act.

Right of entry by authorities.

6. The members and employees of the State Board of Health shall have free access at all times to all oyster and clam beds, places of business and all other places where oysters, clams or other shellfish are grown, kept, stored, had in possession with intent to distribute or sell, or sold, and also to all streams, tributaries thereof and lands adjacent thereto, the waters draining from which may come in contact with clams, oysters or other shellfish, and shall have power to make such inspections of such places, and to take such samples of oysters, clams, other shellfish or other substances, as they may deem necessary to carry out the purposes of this act.

Not hinder officials.

7. No person shall obstruct or in anywise interfere with any chemist, bacteriologist, inspector or employee of the State Board of Health in the performance of any duty under this act.

Penalty.

8. Any person or corporation who shall violate any of the provisions of this act, or any of the rules and regulations made under authority contained in this act, or who shall disobey any order made by the State Board of Health under authority contained in section five of this act, or who shall gather with intent to distribute or sell for use as food any oysters, clams or other shellfish from any oyster or clam bed or other place which has been condemned by the State Board of Health in accordance with the provisions of section two of this act, or who shall distribute, sell, offer or expose for sale or have in his possession for the purpose of sale any oysters, clams or other shellfish taken from any oyster or clam bed or other place which has been condemned by said board, shall be liable to a penalty of one hundred dollars, such penalty to 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 pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein, if the same contain a statement of the nature of the alleged violation and of the section of this act alleged to have been violated, and upon the attention of the court being

Pleadings.

called to any such formal or technical defect the same shall be immediately corrected and the said pleading or process amended as a matter of course, and as to all other defects in pleadings or process the same may be amended, in the discretion of the court, as in any other action or proceeding in said court.

Execution issued to enforce judgment.

9. 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 for that purpose 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 keeper of the common jail of said county, there to be detained until discharged by the court in which such 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 the goods and chattels of such body corporate as in other actions of debt.

Defendant may be imprisoned.

Judgment against a corporation.

Injunction to restrain violations.

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

Appropriation.

11 The sum of seven thousand five hundred dollars is hereby appropriated for the use of the State Board of Health in enforcing the provisions of this act, and said board is authorized to employ such chemists, bac-

teriologists and inspectors, and to purchase such apparatus and supplies, including a suitable boat, as they may deem necessary; *provided,* that no part of the sum hereby appropriated shall become available until the amount thereof has been included in either a supplemental or regular appropriation bill.

Proviso.

Acts repealed.

12. An act entitled "A supplement to 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 March twentieth, one thousand nine hundred and seven," approved April fifteenth, one thousand nine hundred and eleven, and an act entitled "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," approved April twenty-first, one thousand nine hundred and nine, be and the same are hereby repealed.

13. This act shall take effect immediately.

Approved February 29, 1912.

CHAPTER 25.

An Act to provide for the participation by the State of New Jersey in the Exposition to be held at San Francisco, in the State of California, in the year nineteen hundred and fifteen, in commemoration of the opening of the Panama Canal.

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

Number of commissioners.

1. There shall be appointed by the Governor eleven persons, residents of this State, who shall constitute a New Jersey Commission for the Exposition to be held in San Francisco, in the State of California, in the year nineteen hundred and fifteen, to commemorate the opening of the Panama Canal, who shall co-operate with the

board of directors of the said Exposition in encouraging and forwarding the objects for which said Exposition is to be held, and to organize, prepare, superintend and have the general management of the New Jersey department at the said Exposition. Said commission when appointed shall meet at such time and place as the Governor may appoint and organize by the election of a president, a vice-president and a secretary; a majority of said commission may constitute a quorum for the transaction of business. The commission shall have the power to make rules and regulations for its own government, not to conflict with the laws of the State or with the rules and regulations governing said Exposition. The members of said commission shall not be entitled to any compensation, except their actual expenses when necessarily absent from their homes on the business of said commission. Said commission shall have power to fix the compensation of its secretary, and to employ such agents and assistants as may be necessary. Said commission shall continue in office until it shall have completed and settled the business connected therewith. All vacancies in said commission which occur by death, resignation or otherwise shall be filled by the Governor.

Organization.

Rules, etc.

Expenses met.

Clerical assistance.

Vacancies.

2. Said commission shall have charge of the interests of the State of New Jersey, and its citizens, in the collection, preparation and exhibition at said Exposition of the manufactures, arts and natural and industrial products of this State, illustrating its history, progress, moral and material welfare, growth, enterprise and development, and all other matters tending to advance the interests or reputation and prosperity of this State at said Exposition. It shall collect, obtain and disseminate throughout the State all necessary information regarding the said Exposition; secure the co-operation of scientific, agricultural, mechanical, manufacturing, historical and other associations in the several counties of the State in promoting the objects of the Exposition; and in general to have and exercise full authority in relation to the participation of the State of New Jersey and its citizens, in the San Francisco Exposition, in-

Duties.

cluding the planning and construction of a suitable permanent building to be known as the New Jersey State Building and furnishing and maintaining the same.

State building.

Disposition of property at close of exposition.

3. After the said Exposition shall have been closed, the said commission is hereby authorized to sell or otherwise dispose of the buildings and property of the State of New Jersey then on the Exposition grounds, at or near San Francisco, and deposit the moneys received therefor in the State treasury; and any money in possession of the said commission belonging to the State shall be paid to the State Treasurer, and the accounts of the commission fully settled within six months after the close of said Exposition.

Expenses met.

4. All the necessary expenses attendant upon the carrying out by the said commission of the objects for which it is created shall be paid out of such sum as may be appropriated therefor by the Legislature, upon the certificate of the president of said commission.

Appropriation.

5. To carry out the provisions of this act the sum of twenty-five thousand dollars is hereby appropriated, when included, in whole or in part, in any annual or supplemental appropriation bill.

6. This act shall take effect immediately.

Approved February 29, 1912.

CHAPTER 26.

An Act to authorize the Riparian Commissioners to grant lands of the State under water to municipalities for street and park purposes, and to impose terms upon such municipalities as conditions of such grant.

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

Grant of lands under water for parks.

1. Whenever any public park or street has been or shall hereafter be laid out or provided for by ordinance of any city or other municipality, under the authority of any act of the legislature of this State, along, over or fronting upon any of the tide waters of this State, and whenever any streets or highways shall extend to said tide waters, such municipality may apply through its legislative body to the riparian commissioners for a grant or conveyance to such city or municipality of the lands under water within the limits of said public park or street, and of the land in front of said streets or highways; such grant to contain a provision that any land under water granted or conveyed for park or street uses shall be kept and maintained as an open public park, street or place for public use, resort and recreation, and that no building or other structures shall be erected on such park, street or on the lands under water so granted and conveyed inconsistent with its use as a public park, street or place for public use, resort and recreation; *provided, however,* that public streets, walks and drives may be constructed along or upon any portion of the land so granted or conveyed. The commissioners aforesaid shall have full power and authority, after notice to the municipality lying on the opposite side of the main stream and nearest to such applying municipality, to make such grant, notwithstanding the same may be for the entire bed or land underneath the whole or any part of the waters of a branch, arm, slake, lesser channel or any subsidiary or auxiliary portion of any tidal stream of this State; *provided, however,* that if such grant be made to such municipality for a portion or the whole of the bed or land under such tidal waters, that the said commissioners shall impose such terms upon such municipality if needed, with respect to providing for additional flowage in the main part of such stream, as in their judgment may best subserve any interest of any other municipality, whose territorial limits border on the main stream as well as any riparian owner or owners whose lands abut said main stream; *provided, further,* that the entire area of any such grant, to be

Provisional grant.

Proviso.

Extent of grant.

Proviso.

Proviso.

Proviso.

made as aforesaid, shall be within the boundaries of the municipality applying therefor; *and provided, further,* that such grant shall operate only as a conveyance of the rights of the State, and shall not deprive any riparian owner of any rights to compensation which he may have.

2. This act shall take effect immediately.

Approved March 5, 1912.

CHAPTER 27.

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

Preamble.

WHEREAS, the sum heretofore authorized for the purpose of constructing an inland waterway, as provided for by the act to which this act is a supplement, has been insufficient to complete said waterway, because of changes in the route of the same, therefore,

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

Additional appropriation.

1. An additional sum three hundred thousand dollars is hereby appropriated to cover the cost of the further construction of said waterway, to be expended continuously from the northerly terminus of the present completed section in Cape May county northwardly, by the Commissioner of Inland Waterways under the direction of the Governor, in such amounts as shall be included in any annual or supplemental appropriation bill.

Annual allowance for maintenance.

2. After completion of said waterway, a sum not exceeding twenty-five thousand dollars be appropriated annually for maintaining the same, when included in any annual or supplemental appropriation bill.

3. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 28.

An Act to amend an act entitled "An act concerning minors, their adoption, custody and maintenance" (Revision of 1902, adopted April 2, 1902), defining the rights, duties and privileges of a parent or adopted parent when a child or foster child is adopted by the husband or wife of such parent or adopted parent.

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

1. Section four of an act entitled "An act concerning minors, their adoption, custody and maintenance" (Revision of 1902, approved April 2, 1902), is hereby amended so as to read as follows: Section 4 amended.

The petition, decree, testimony and proceedings shall be recorded at length in a book kept for that purpose and properly indexed; but testimony taken orally or without subscription by the witnesses need not be recorded; said book shall become part of the records of the surrogate's office of the county wherein the said court is located, and the surrogate for recording the same shall receive the same fees as for recording a will, and upon the entry of such decree of adoption the parents of the child, if living, shall be divested of all legal rights and obligations due from them to the child, or from the child to them; and the child shall be free from all legal obligations of obedience or otherwise to the parents; and the adopting parent or parents of the child shall be invested with every legal right in respect to obedience and maintenance on the part of the child as if said child had been born to them in lawful wedlock; and the child shall be invested with every legal right, privilege, obligation and relation in respect to education, maintenance and the rights of inheritance to real estate, or to the distribution of per- Proper record of proceedings. Effect of decree of adoption. Child's rights.

sonal estate on the death of such adopting parent or parents as if born to them in lawful wedlock; *provided,* said child shall not be capable of taking property expressly limited to the heirs of the body of the adopting parent or parents, nor property coming from the collateral kindred of such adopting parent or parents by right of representation; *and provided also,* on the death of the adopting parent or parents and the subsequent death of the child so adopted, without issue, the property of such adopting deceased parent or parents shall descend to and be distributed among the next of kin of said parent or parents and not to the next of kin of the adopted child; *and provided also,* if such adopting parent or parents shall have other child or children, then, and in that case the children by birth and by adoption shall, respectively, inherit from and through each other as if all had been children of the same parents born in lawful wedlock; *and provided also,* that where a parent has procured a divorce, or a surviving parent, having lawful custody of a child, lawfully marries again, or where an adult unmarried person who has become a foster parent and has lawful custody of a child, marries, and such parent or foster parent consents that the person who thus becomes the step-father or the step-mother of such child, may adopt such child, such parent or such foster parent so consenting shall not thereby be relieved of any of his or her parental duties toward, or be deprived of any of his or her rights over said child, or to his property by descent or succession.

Proviso.

Proviso.

Proviso.

Proviso.

Approved March 8, 1912.

CHAPTER 29.

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 122 of the act, to which this act is amendatory, is hereby amended so that the same shall read as follows: Section 122 amended.

122. All recognizances of bail heretofore or hereafter made or entered into, in or before any court, judge or magistrate having criminal jurisdiction, which have been or shall hereafter be forfeited, but upon which no writ of scire facias or other process to enforce or collect the same shall have been issued and prosecuted to final judgment within a period of six years after the same shall have been filed and recorded in the clerk's office; and all recognizances of bail which have not been forfeited, shall, after a period of six years after the date of the filing and recording of any such recognizances of bail in the clerk's office, no longer be a lien or charge upon or against any lands, tenements, hereditaments or real estate, of which any principal or surety named in any such recognizance, was or shall have been seized, at the time of his entering into such recognizance, or at any time afterwards. When recognizances no longer a lien.

2. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 30.

An Act relating to the making and keeping of the records in the office of the clerk, register of deeds and mortgages and surrogate of the counties of this State.

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

All records may be typewritten.

1. All papers, documents and instruments in writing now or heretofore authorized or required by law to be recorded in the office of the clerk, register of deeds and mortgages, or surrogate of any county of this State, as well as the record of any such papers, documents or instruments in writing, which may be re-copied, re-recorded or transcribed pursuant to any statute of this State, may be copied, recorded, re-copied, re-recorded or transcribed in said offices in typewriting and such record, re-record or transcribing made in typewriting, shall have the same legal force, meaning and effect as if made in handwriting.

Typewritten records validated.

2. The record of any such papers, documents and instruments in writing, or the re-copying, re-recording or transcribing thereof heretofore made in typewriting, shall have the same legal force, meaning and effect as if such record, re-record or transcribing had been made in handwriting.

3. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 31.

A Supplement to an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use" (Revision, 1900), approved March twentieth, one thousand nine hundred.

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

Petitioner, on payment of judgment, may enter into possession.

1. If the petitioner or owner takes a writ of error or other proceeding to review the judgment founded on the verdict of the jury, it shall and may be lawful for the petitioner to pay or tender payment of the amount of said judgment, to the party entitled to receive the same, as hereinafter provided, and thereupon the petitioner is empowered to enter upon and take possession of said land or other property for the purposes for which the same was authorized to be taken, and the said judgment or a copy thereof, certified by the clerk of the county, and proof of payment or tender of the amount of said judgment, shall at all times be considered as plenary evidence of the right of the petitioner to have, hold, use, occupy, possess and enjoy the said land and other property.

In cases of refusal amount paid into Chancery

2. In case the party entitled to receive the amount of said judgment shall refuse, upon tender thereof, to receive the same, or shall be out of the State, or under any legal disability, or in case several parties being interested in the fund shall not agree as to the distribution thereof, or in case the lands or other property taken are encumbered by any mortgage, judgment, or other lien, or in case for any other reason the petitioner cannot safely pay the amount awarded to any person, in all such cases, on petition to the Chancellor, to which shall be annexed a copy of the rule for judgment, the

New Jersey State Library

amount of said judgment shall be paid into the Court of Chancery, by order of the Chancellor, and shall there be distributed according to law, on the application of any person interested therein; and written notice given to the owner or owners and to persons interested, that such moneys have been paid into court, shall have the same effect as if the moneys mentioned in said judgment, with costs, had been actually tendered or paid to the owner or persons entitled thereto; and where notice cannot be personally served, notice by advertisement in such manner as the Chancellor shall direct shall have the same effect.

Distribution.

In case of reversal and lesser award.

3. If on the writ of error or other proceeding to review such judgment the judgment should be reversed and on the final determination of said cause or matter, evidenced by the judgment finally entered therein, a lesser sum is adjudged to be paid to the person or persons entitled thereto, than the sum theretofore paid by the petitioner, either to the person or persons entitled thereto or into court, as aforesaid, the petitioner may recover back the amount paid less the amount adjudged to be paid by said final judgment; and on proof of said payment judgment may be entered, by order of the court, in favor of the petitioner, against the person or persons to whom such payment was made, for such excess so paid, and execution may issue thereon; and if the amount of the judgment as finally entered in said cause or matter should be for a greater amount than that so paid, then the owner or owners shall be entitled, on proof of the facts, to have judgment entered by order of the court, against the petitioner, for such excess, and execution may issue thereon; and the petitioner and owner or owners and persons entitled to said moneys shall have such further remedies in law and in equity as may be appropriate for the recovery of the excess in either case.

If greater award.

Application of act.

4. This act shall take effect immediately, and shall apply to all proceedings now pending or hereafter taken.

Approved March 8, 1912.

CHAPTER 32.

An Act to authorize the acquisition, by purchase or condemnation, of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument.

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

Commission on park at Washington's Crossing.

1. The Governor, the Comptroller, the Treasurer and five persons, citizens of this State, to be named by the Governor, and who shall serve without pay, shall be and they are hereby constituted a commission, with power to acquire, by purchase or condemnation, in the name of the State of New Jersey, lands not to exceed one hundred acres in extent, at or near the point where Washington crossed the river Delaware on the night preceding the battle of Trenton, and with power to erect upon said lands, when acquired, a suitable monument of design and material to be by said commission determined, commemorative of the crossing of the river Delaware by Washington, as aforesaid, at a total cost, for the acquisition of said lands and erection of said monument, not to exceed twenty-five thousand dollars, and the said sum of twenty-five thousand dollars, or such part as may be needed, is hereby appropriated for such purpose, out of any moneys in the treasury of the State not otherwise appropriated, such moneys to be expended only on the requisition of the Governor, and the Comptroller is hereby directed to issue warrants for the payment of the same upon such requisition being made by the Governor and the Treasurer of the State shall on such warrants of the Comptroller pay out the moneys hereby appropriated for the purposes aforesaid.

Monument.

Appropriation.

Official designation.

2. The lands so, as aforesaid, to be acquired, shall be kept and maintained as a public park, and shall be known as "Washington Crossing Park," and that the commission hereby appointed shall have the power to

Proviso.

fence, grade and improve said lands; *provided,* the entire cost, including the acquisition of said lands and erection of said monument shall not exceed the sum hereby appropriated.

3. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 33.

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:*

Materials for surfacing designated.

1. In any city which has adopted, or which shall hereafter adopt, the act to which this is a supplement, it shall be mandatory in every ordinance authorizing the improving of any highway in such city to designate more than two kinds of surfacing material upon which bids shall be invited under separate specifications, and council shall after receipt of such bids select one of the materials so designated as the kind of surfacing material to be used in making such improvement and shall award a contract to the lowest responsible bidder upon

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the material so selected. *Provided, however,* that city council shall reserve the right to reject all bids on all materials and readvertise if in their judgment the lowest responsible bidder on the material selected is higher than the conditions warrant.

2. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 34.

A Supplement to an act entitled "An act respecting bridges," approved April tenth, one thousand eight hundred and forty-six.

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

Rate of speed in crossing bridges.

1. It shall not be lawful for any person or persons to drive any kind of carriage or other vehicle, whether propelled by its own power or drawn by one or more horses or mules, or to lead or drive any horses, mules or other cattle over any of the public road bridges of this State, or over any toll bridges or any bridges that are part of any turnpike road of this State, which bridges may be constructed of wood, iron or concrete, or the spans of which may be wood, iron or concrete, at a faster rate than five miles an hour, when the authorities in charge of such bridge shall have placed upon it a notice limiting the pace to the said five miles an hour.

Rate posted.

Weight allowable on bridges.

2. It shall not be lawful for any person or persons to cross any of the said bridges with any vehicle or vehicles, whether propelled by their own power or drawn by horses or mules, that shall weigh with their loads more than two thousand pounds per inch of tire in width, provided that no such vehicle shall weigh, with its load, more than fifteen tons of two thousand pounds each; and provided that nothing contained in this section shall be at any time construed to apply to any street railway car or car operated as a street railway car using any bridge, as herein named.

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Penalty.

3. Any person or persons violating the foregoing provisions shall be liable to a penalty of $10.00 with costs for each and every violation of this statute, which said penalty may be sued for and recovered with costs by any person in any court of competent jurisdiction.

Repealer.

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

Approved March 8, 1912.

CHAPTER 35.

An Act to authorize the construction of improved roads by State institutions.

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

Improved roads for State institutions.

1. The board of managers or other board or commission having charge of any State institution in this State are hereby authorized to construct or improve any portion of a public road in this State lying between any improved road now or hereafter located on the lands of the State of New Jersey, occupied by such institution, and the improved public road nearest to such institution; *provided, however,* that an appropriation shall first be made for the construction or improvement of any such road.

Proviso.

Plans, construction, etc.

2. The plans and specifications for any such road shall be approved by the Commissioner of Public Roads of this State and such road shall be constructed or improved under the direction and supervision of such commissioner, as now provided by law.

3. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 36.

An Act requiring additional educational and experimental equipment at the State Agricultural College when appropriations are made therefor.

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

Additional buildings and equipment at State College.

1. The trustees of the State Agricultural College of New Jersey be and they are hereby required to erect, equip, and maintain buildings, and to establish, equip

and maintain departments of instruction or experiment for the furtherance of the appropriate work of said State Agricultural College, under the general powers of supervision and control possessed by the board of visitors of said State Agricultural College; *provided,* that the sum or sums required for such purpose or purposes shall first be appropriated in any annual or supplemental appropriation bill. Proviso.

2. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 37.

An Act authorizing the State House Commission to condemn and sell all voting machines now owned by the State and useless or unnecessary material of all kinds now stored in the basement of the State House.

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

1. The Governor, the Treasurer and the Comptroller, constituting the State House Commission, are hereby authorized to condemn and sell, at public or private sale, as in their judgment the best interests of the State may require, all the voting machines now owned by the State, and any and all material now stored in the basement of the State House, which, in their judgment, has become useless and the presence of which unnecessarily encumbers the State House vaults; the proceeds of such sale to be paid into the State treasury as a part of the moneys of the State. Sale of voting machines and other useless material.

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 March 8, 1912.

CHAPTER 38.

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:*

Improvements 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, and the furnishing thereof when completed, as they may deem necessary to furnish proper accommodation for the use of the State Departments.

Appropriation.

2. The sum of seventy 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 upon the warrant of the State Comptroller; *provided*, said sum is included in the annual or supplemental appropriation acts.

Proviso.

3. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 39.

An Act authorizing the exchange of certain lands belonging to the State of New Jersey, now used for purposes of the State Hospital for the Insane at Trenton, for lands of the Trenton Country Club, upon terms and conditions and making appropriation for consideration in addition to such exchange and authorizing conveyance of the State's lands to be made.

Preamble. WHEREAS, The board of managers of the New Jersey State Hospital at Trenton is possessed of certain lands located on the southerly side of the road leading from Trenton to Trenton Junction, in the county of Mercer, adjacent to lands of the Trenton Country Club, containing about fourteen and one thousand nine hundred and twelve ten thousandths acres, and which said lands are no longer needed for the uses of said hospital, by reason of the acquisition of other lands; and

Preamble. WHEREAS, The Trenton Country Club, a corporation of New Jersey, is the owner of certain lands on the northerly side of the aforesaid road, leading from Trenton to Trenton Junction, containing about fifteen and six-tenths acres, and which said lands are nearly surrounded by the lands of the State Hospital and would be particularly useful and advantageous to the uses of said hospital; and

Preamble. WHEREAS, The board of managers of said hospital and the said the Trenton Country Club, mutually desire to make an exchange of said lands; and

Preamble. WHEREAS, It is believed that it is to the interest of the State that an exchange of said lands should made; therefore

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

Exchange of property at Trenton asylum.

1. It shall be lawful for the Governor, Treasurer and Comptroller, constituting the State House Commission, to bargain, sell, exchange and convey, by a good and sufficient deed, in the name of the State of New Jersey, all those certain lands and premises now in the possession of the board of managers of the New Jersey State Hospital at Trenton, said lands lying upon the southwesterly side of the "Asylum" road leading from Trenton to Trenton Junction, the same being bounded on the northeasterly side by said road, on the southeasterly side by other lands of said hospital, on the southwest by the towpath of the feeder of the Delaware and Raritan canal and on the northwest by lands of the Trenton Country Club, said lands comprising in all about fourteen and one thousand nine hundred and twelve ten thousandths acres, and to take in payment thereof, or in exchange therefor, certain other lands and premises adjoining the lands and premises in the possession of said board of managers of the New Jersey State Hospital at Trenton, being the property of the Trenton Country Club, and lying on the northeasterly side of aforesaid road and bounded on the west by said road and on the north, east and southerly sides by other lands of the State of New Jersey in the possession of said board of managers of the New Jersey State Hospital at Trenton, said tract containing about fifteen and six-tenths acres, and in addition to said exchange, to pay a cash consideration therefor, of such amount as may be determined by the said board of managers of the New Jersey State Hospital at Trenton; *provided, however,* that before said sale or exchange shall be made there shall be received by said State House Commission a copy of a resolution duly adopted by the board of managers of said State Hospital at Trenton to the effect that the said board considers said lands no longer necessary for the use of said hospital and that the lands intended to be exchanged therefor, in the event said exchange shall be made, can be used to an advantage to the interest of said hospital, and

Proviso.

further stating the amount of the cash consideration which, in their judgment, should be paid.

Appropriation.

2. There is hereby appropriated the sum of two thousand dollars, which said sum shall be applicable to the payment of the difference in price of exchange of said lands to be determined as above, and also for the payment of the cost of searches in connection with the exchange of said lands; *provided,* that said sum shall be appropriated in the annual or supplemental appropriation bill. The board of managers of said hospital shall certify the amount to be paid to the Trenton Country Club as additional consideration and the cost of searches, to the Comptroller who shall issue his warrant to the State Treasurer therefor, upon which payment shall be made.

Proviso.

3. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 40.

A Supplement to an act entitled "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," approved April eleventh, one thousand nine hundred and ten.

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

Care of parks and shade trees.

1. The commission appointed under the act to which this is a supplement shall have full power and authority, and is hereby empowered to pass, enact, alter and repeal ordinances for the protection, regulation and control of all city parks within the boundary of the city in which said commission shall be appointed, and the trees, flowers, shrubs and statuary therein; and also for the protection, regulation and control of all shade

trees planted or growing upon the public highways of any such city, and to prescribe fines and penalties for the violation thereof and to fix the amount of the same; the method now in use for the passing, enacting, altering, amending and publishing of ordinances in said city shall be the method used to pass, enact, alter, amend, repeal and publish the ordinances herein mentioned.

Jurisdiction to enforce ordinances.

2. The courts which now or hereafter shall have jurisdiction over actions for the violation of ordinances of the city in which said commission has been or shall be appointed shall have jurisdiction in actions for the violation of such ordinances as the said commission shall enact, and said ordinances shall be enforced by like proceedings and process and the practice for the enforcement of such ordinances shall be the same as that provided by law for the enforcement of the ordinances of the city in which such commission exists.

Repealer.

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

Approved March 8, 1912.

CHAPTER 41.

An Act prohibiting the liberation of any fox within this State.

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

Penalty for liberating foxes.

1. It shall be unlawful for any person to liberate any fox within this State, under a penalty of one hundred dollars for each offense, to be recovered in accordance with the provisions of the act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March

twenty-ninth, one thousand eight hundred and ninety-seven, and the amendments thereof and supplements thereto.

2. *Provided,* nothing in this act shall prevent clubs, hunting with hounds and horses, liberating foxes, caught in this State, for the purpose of pursuit and capture. Proviso.

3. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 42.

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-five of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 25 amended.

25. It shall be unlawful to take or attempt to take any fish from any of the waters of this State by means of any contrivance whatsoever excepting in the manner commonly known as angling with hand-line or with rod and line, under a penalty of twenty dollars for each offense; *provided, however,* that this provision shall not apply to the catching of eels, at any time, by means of wicker eel baskets anchored on the bottom of streams and ponds, nor to the taking of eels by means of eel weirs from the fifteenth day of August to the last day of November, both dates inclusive, nor to the taking of catfish or carp with a spear in all streams and in all lakes and ponds of less than one hundred acres, from Angling. Proviso.

the twentieth day of February to the twentieth day of April, both dates inclusive, of each year, nor to the taking of eels and suckers with a spear in all streams and in all lakes and ponds of less than one hundred acres, from the twentieth day of February to the thirtieth day of June, both dates inclusive, of each year;

Proviso.

provided, also, that it shall be lawful to take minnow and other bait-fish with a seine not over fifty feet in length in all ponds and lakes which have an area of over one hundred acres, and in all other waters with a seine not over thirty feet in length; in every such case, however, all trout, pickerel, bass, pike and pike-perch captured therein shall be immediately released therefrom uninjured as far as practicable;

Proviso.

provided, further, that it shall be lawful to take fish in any manner under the direction of or by permission given by the Board of Fish and Game Commissioners for stocking purposes.

2. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 43.

An Act to amend an act entitled "An act to create a Department of Accounts, and to provide a uniform system of bookkeeping and accounts throughout the different departments and institutions of the State," approved April sixteenth, 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 amendatory is hereby amended to read as follows:

Auditor of accounts.

1. There shall be established a Department of Accounts, in charge of a chief, whose title shall be "Auditor of Accounts," together with as many assistants, not exceeding three, as the exigency of the case, in the

judgment of the chief and the Governor, shall require. The said Auditor of Accounts shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall have an annual salary of three thousand dollars, payable monthly. His term of office shall be for five years. He shall have power to appoint, with the approval of the Governor, as many assistants, not exceeding three, as shall be necessary to carry into effect the provisions of this act. The salary of the said assistants shall be two thousand dollars per year, and shall be payable monthly by the State Treasurer, on the warrant of the Comptroller. He shall have power to appoint a stenographer whose salary shall be six hundred dollars per year and shall be payable monthly by the State Treasurer on the warrant of the Comptroller. The said Auditor of Accounts and his assistants shall be paid their actual necessary traveling expenses monthly by the State Treasurer, on the warrant of the Comptroller.

Appointment. Salary. Term. Assistants. Salaries. Stenographer. Expenses met.

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

Repealer.

Approved March 8, 1912.

CHAPTER 44.

An Act to amend an act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven.

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

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

Section 8 amended.

Enforcement of ordinances.

8. All cities adopting the provisions of this act shall be and are hereby vested with the general powers and authority to enact and enforce by imposition of reasonable fines or by imprisonment or both all ordinances necessary for the protection of life, health and property; to declare and prevent and summarily to abate nuisances; to preserve and enforce the good government and general welfare, order and security of such city, and shall have all powers necessary for its government not in conflict with the laws applicable to all cities of this State or the provisions of the Constitution. *Provided, however,* that no ordinance increasing the net bonded indebtedness of the city to a sum in excess of fifteen per centum of the assessed valuation of all property within said city shall be valid unless the same shall be first submitted, by a special election, to the voters of the city and receive the approval of a majority of the voters actually voting at such election.

Proviso; limit to bonded inbedtedness.

Former legislation effective.

All ordinances or resolutions heretofore passed in any such cities not inconsistent with the rights and powers herein granted shall remain in full force and effect until altered or repealed by the commissioners in the manner herein provided.

Repealer.

2. All acts or parts of acts inconsistent herewith are hereby repealed to the extent of such inconsistencies and this act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 45.

An Act respecting sheriffs.

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

Duties expire with term.

1. No person heretofore or hereafter elected to the office of sheriff in any county of this State shall perform any of the duties of said office after he shall have ceased to hold said office by the expiration of the term for which he was elected, but all the duties of such office

shall be performed by the person holding such office at the time when such duties are to be performed; whenever any person shall cease to hold the office of sheriff he shall deliver to his successor all process, orders, mandates and papers of every kind and nature whatsoever remaining in his hands unexecuted, or unreturned, or otherwise outstanding, and also all moneys held by him; and all acts or duties which it would have been incumbent on the outgoing sheriff to perform had he not ceased to hold office shall be done and performed by his successor or successors.

Successor to complete duties.

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

Repealer.

Approved March 8, 1912.

CHAPTER 46.

An Act to amend an act entitled "An act to authorize cities in this State to construct hospital buildings and to purchase land therefor," approved April seventh, one thousand nine hundred and three.

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

1. Section five of the act entitled "An act to authorize cities in this State to construct hospital buildings and to purchase land therefor," approved April seventh, one thousand nine hundred and three, be amended so that the said section shall read as follows:

Section 5 amended.

5. The lands to be purchased and the buildings to be erected pursuant to this act shall be purchased, erected and furnished by the board, body or authority having charge and control of the finances in such city, but when such new or additional hospital building or buildings are completed and furnished, the same shall be under the control and management of the board or body now having the control and management of the public hospital or hospitals in such city.

Charge of buildings.

2. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 47.

An Act to amend an act entitled "An act to enable the board of chosen freeholders of any county in this State to erect, construct and maintain a viaduct connecting streets or roads within such county, and to extend roads to connect with such viaduct, and to acquire lands for the same, and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof," approved May first, nineteen hundred and eleven.

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

Section 6 amended.

1. Section six of the act entitled "An act to enable the board of chosen freeholders of any county in this State to erect, construct and maintain a viaduct connecting streets or roads within such county, and to extend roads to connect with such viaduct, and to acquire lands for the same and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof," approved May first, nineteen hundred and eleven, be and the same is hereby amended so as to read as follows:

May issue bonds.

6. If, in the opinion of the board of chosen freeholders of such county, to place the entire cost of such viaduct in the tax levy for any one fiscal year would be too burdensome to the taxpayers of such county, it shall and may be lawful for such board to issue the bonds of such county to defray the expense thereof, which said bonds shall be of the denomination of one thousand dollars each, and be registered or coupon, as such board may determine and shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually, and shall run for a period not exceeding thirty years and shall be signed by the director and clerk of

Rate.

Time.

such board and countersigned by the county collector, and shall be sold at public sale to the highest bidder for not less than par; and said county shall annually thereafter place in the tax levy a sum sufficient to pay the interest on such bonds as it accrues and shall likewise create a sinking fund for the payment of said bonds at maturity, and place in the tax levy annually thereafter a sum sufficient with the accumulations thereof to pay off and discharge said bonds at maturity.

Sinking fund.

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

Repealer.

3. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 48.

An Act to amend section four of an act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven.

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

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

Section 4 amended.

4. The board of commissioners shall have and possess all administrative, judicial and legislative powers and duties now had and possessed and exercised by the mayor and city council and all other executive or legislative bodies in said city, and have complete control over the affairs of the city adopting the provisions of this act. The executive, administrative and legislative powers, authority and duties in such city shall be distributed into and among five departments, except that in any

All powers vested in board of commissioners.

City departments.

city having but three commissioners, three departments shall be designated and provided by the consolidation of the first and third departments and the fourth and fifth departments as follows:

(1.) Department of Public Affairs.

(2.) Department of Revenue and Finance.

(3.) Department of Public Safety.

(4.) Department of Streets and Public Improvements.

(5.) Department of Parks and Public Property.

Powers and duties prescribed by board.

The board of commissioners shall determine the powers and duties to be performed by each department and assign such powers and duties to the appropriate departments, and they shall prescribe the powers and duties of all officers and employes, and they may assign particular officers and employes to one or more departments and may require any officer or employe to perform duties in two or more departments, and make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city.

Commissioners assigned to departments as directors

The mayor shall be the director of the Department of Public Affairs, and the board of commissioners shall, at the first regular meeting after the election of its members, designate by majority vote one commissioner to be director of the Department of Revenue and Finance, one to be director of the Department of Public Safety, one to be director of the Department of Streets, and Public Improvements, and one to be director of the Department of Parks and Public Property, except that upon the organization of a board of three commissioners but three departments shall be designated, as above provided, and but three directors voted therefor, and such designation may be changed whenever it appears that the public service would be benefited thereby.

Subordinate boards and officers.

The board of commissioners shall at the first meeting, or as soon as may be after organization, create such subordinate boards and appoint such officers as it may deem necessary for the proper and efficient conduct of the affairs of the city. Any board created may be abated, or any officer or employe appointed by the board

of commissioners may be removed from office at any time for cause, after public hearing, and such board of commissioners shall be the sole judge of the sufficiency of the cause of such removal.

Salaries in first, second and third class cities.

The mayor and board of commissioners shall have suitable offices and their total compensation shall, in cities of the first, second and third classes, be as follows: In such cities having, by the last preceding State or national census, more than two hundred thousand population, the mayor's salary shall be not more than fifty-five hundred dollars, and that of each commissioner shall be not more than five thousand dollars. In cities having by the last census a population of over ninety thousand and not exceeding two hundred thousand, the mayor's annual salary shall be not more than three thousand five hundred dollars, and that of each commissioner shall be not more than three thousand dollars. In cities having from forty thousand to ninety thousand population, the mayor's annual salary shall be not more than two thousand five hundred dollars, and that of each commissioner shall be not more than two thousand dollars. In cities having from twenty to forty thousand population, the mayor's annual salary shall be not more than one thousand eight hundred dollars, and that of each commissioner shall be not more than one thousand five hundred dollars. In cities having from ten to twenty thousand population, the mayor's annual salary shall be not more than one thousand five hundred dollars, and that of each commissioner shall be not more than one thousand two hundred dollars. In cities having from five thousand to ten thousand population, the mayor's annual salary shall be not more than one thousand dollars, and that of each commissioner shall be not more than seven hundred and fifty dollars. In cities having from twenty-five hundred to five thousand population, the mayor's annual salary shall be not more than seven hundred and fifty dollars, and that of each commissioner shall be not more than five hundred dollars. In cities having from one thousand to twenty-five hundred population the mayor's annual salary shall be not more than five hundred and that of each commissioner not more

than three hundred and fifty dollars. In cities having from five hundred to one thousand population, the mayor's salary shall be not more than two hundred and fifty and that of each commissioner shall be not more than two hundred dollars, and in cities having less than five hundred population, the mayor's salary shall be not more than seventy-five and that of each commissioner shall be not more than fifty dollars.

Salaries in fourth class cities.

The compensation of the mayor and the commissioners shall, in cities of the fourth class be as follows: In such cities having, at the last preceding State or national census, more than ninety thousand population, the mayor's annual salary shall be not more than fifty-five hundred, and that of each commissioner shall be not more than five thousand dollars. In cities having from forty thousand to ninety thousand population, the mayor's annual salary shall be not more than four thousand and that of each commissioner shall be not more than three thousand dollars. In cities having from twenty thousand to forty thousand population, the mayor's annual salary shall be not more than three thousand, and that of each commissioner shall be not more than twenty-five hundred dollars. In cities having from ten thousand to twenty thousand population, the mayor's annual salary shall be not more than twenty-five hundred, and that of each commissioner shall be not more than two thousand dollars. In cities having from five thousand to ten thousand population, the mayor's annual salary shall be not more than two thousand and that of each commissioner shall be not more than fifteen hundred dollars. In cities having from twenty-five hundred to five thousand population, the mayor's annual salary shall be not more than fifteen hundred, and that of each commissioner shall be not more than twelve hundred and fifty dollars. In cities having from one thousand to twenty-five hundred population, the mayor's annual salary shall be not more than twelve hundred and fifty, and that of each commissioner shall be not more than one thousand dollars. In cities having less than one thousand population, the mayor's annual salary shall be not more than seven hundred and fifty, and that of

each commissioner shall be not more than five hundred dollars. Such salaries shall be payable in equal monthly installments.

Other salaries.

The salary or compensation of all other officers and employes of the city shall be fixed by the board of commissioners and shall be payable monthly or at shorter periods as they shall determine; *provided, however*, that the compensation of the commissioners shall be fixed by an ordinance adopted by the board of commissioners immediately after the organization of the board in accordance with all the provisions of this act. The compensation so fixed shall not be increased during the term for which such commissioners are elected; unless, after said ordinance shall have been adopted, an increase in the compensation payable in such city shall be authorized by statute.

Proviso

As to change of salary.

Repealer.

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

Approved March 8, 1912.

CHAPTER 49.

An Act to prevent trespass, destruction or mutilation of signs on lands on which a fish hatchery or game farm is located by the Board of Fish and Game Commissioners.

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

Trespassing on hatchery or game land owned by State; penalty.

1. It shall be unlawful for any person to trespass on any lands on which a fish hatchery or game farm is located and operated by the Board of Fish and Game Commissioners in this State, or to damage, deface or remove any notice or signboard erected on said lands, under a penalty of fifty dollars for each offense to be

recovered in accordance with the provisions of the 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 violation thereof, approved March twenty-ninth, eighteen hundred and ninety-seven, and the amendments thereof and supplements thereto.

2. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 50.

An Act to amend an act entitled "An act concerning district courts (Revision of 1898)," approved April fourteenth, eighteen hundred and ninety-eight.

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

Section 170 amended.

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

Mode of docketing judgments.

170. When a judgment is obtained in any district court, and there remains due thereon an amount not less than ten dollars, including costs, the clerk of such Court of Common Pleas of the county, upon filing in his office a statement, 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 the name of the plaintiff's attorney, if any, the amount and date of judgment and date of issue and return of execution if any, 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, not less than ten dollars, 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 judg-

ment was obtained, the names at length of the parties to said judgment, and the name of the plaintiff's attorney, if any, the style of the action, the date of the judgment, the amount recovered, with costs, the substance of the return of the constable or sergeant-at-arms, and the amount stated to be due in the affidavit; the fee to the clerk of the Court of Common Pleas for filing such statement shall be two dollars, and to the clerk of the district court for certifying the same, fifty cents. Fees.

2. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 51.

A Supplement to an act 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 vicinities benefited by reason thereof," approved April twelfth, one thousand nine hundred and ten.

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

1. After the passage of any resolution by the board of finance of any city appropriating money for any improvement authorized by the act to which this is a supplement and pending the receipt of money from the sale of bonds under the said act, the board of finance of any city may borrow money to pay for any improvement made under the provisions thereof upon temporary certificates of the said city. Such temporary certificates shall not exceed the amount of such appropriation and shall recite the date of the resolution of the said board of finance appropriating said money and Issue temporary certificates. Amount.

Rate; time.

shall bear interest at a sum not exceeding five per centum per annum and shall be of such denomination and be payable at such time as the board of finance may determine, not exceeding three years from the date thereof. Such certificates may be renewed and re-issued in the event that such city is not in receipt of money from the sale of bonds issued to take up the same, but the total length of time for which said temporary certificates may be outstanding shall not exceed a period of ten years, inclusive of the time covered by the renewals of the same. Upon the receipt of money from the sale of bonds pending which the same are issued, or of the receipt of any assessments levied upon property for benefits accruing from such improvements, temporary certificates to the extent of such receipt shall be retired.

Renewal.

Retirement of certificates.

2. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 52.

An Act providing for the development of the inland waterways system by deepening the channel of Absecon Inlet by the erection of a jetty or other construction and to appropriate fifty thousand dollars ($50,000.00) for this purpose.

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

Jetty at Absecon inlet.

1. The Department of Inland Waterways shall have power, after advertising as required by law, to enter into a contract or contracts for the construction of a jetty or other structure in the mouth of Absecon Inlet for the purpose of maintaining a channel of at least sixteen feet in depth in the mouth of the said inlet.

2. The sum of fifty thousand dollars is hereby appropriated to cover the cost of construction of the said jetty or other construction to be expended by the Commissioner of Inland Waterways in accordance with the laws of the State governing the expenditure of moneys appropriated from the State Treasury; *provided, however,* that no contract shall be let for the construction of the said jetty or other construction until the City of Atlantic City shall have appropriated the additional sum of fifty thousand dollars ($50,000.00) to complete the said jetty or other construction authorized in section one of this act. Appropriation. Proviso.

6. This act shall take effect immediately.

Approved March 8, 1912.

CHAPTER 53.

An Act to repeal sundry acts respecting bridges.

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

1. From and after the passage and adoption of this act the following acts shall be and hereby are repealed: Acts repealed.

1. "A supplement to 'An act respecting bridges,' approved April tenth, one thousand eight hundred and forty-six," approved March fifteenth, one thousand eight hundred and seventy-six.

2. "An act amending 'A supplement to an act respecting bridges,' approved April tenth, one thousand eight hundred and forty-six, which supplement was approved March fifteenth, one thousand eight hundred and seventy six," approved February twelfth, one thousand eight hundred and eighty-five.

2. This act shall take effect immediately.

Approved March 8, 1912.

New Jersey State Library

CHAPTER 54.

An Act to repeal an act entitled "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, which supplement was approved April first, one thousand nine hundred and ten.

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

Act repealed.

1. An act entitled "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, which supplement was approved April first, one thousand nine hundred and ten, be and the same is hereby repealed.

2. This act shall take effect immediately

Approved March 8, 1912.

CHAPTER 55.

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.

1. To meet the further expenses to be incurred under the provisions of the act to which this is a further supplement for the acquisition, development and im-

provement 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 may 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 three hundred and fifty thousand ($350,000) 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 per annum, 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 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.

Amount.

Term.

Rate.

Sinking fund.

Provision for payment.

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 March 11, 1912.

CHAPTER 56.

An Act to amend an act entitled "An act regulating fishing in the waters of the Delaware river and bay, between the States of New Jersey and Delaware and all the tributaries of said river and bay within said limits wherein the tide ebbs and flows," approved April twenty-seventh, one thousand nine hundred and eleven.

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

Section 10 amended.

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

Use of parallel nets.

10. It shall be unlawful to use a parallel net, otherwise a net set approximately parallel with the shore in the Delaware river and bay lying between the States of New Jersey and Delaware and any of the tributaries of said river and bay within said limits wherein the tide ebbs and flows, and at low-water mark, between the first day of June and the thirty-first day of August in each year, and it shall be lawful to use such parallel net from the first day of September to the thirty-first day of May, inclusive, next ensuing in each year for

Proviso.

the purpose of taking carp only; *provided,* that the meshes of said net be not less than three and one-half

Proviso.

inches, stretched measure, when being fished; *provided,* that seines not smaller than two and one-half inch mesh and cast nets may be used from September first to May thirty-first of each year, for the purpose of tak-

Proviso.

ing catfish, carp and suckers only; *and provided further,* that no such net shall be set in such manner as to impede navigation. All other fish than catfish, carp and suckers must be returned unharmed to the water beyond low-water mark. Any person violating any of the provisions of this section shall, on conviction there-

of, be subject to a fine of one hundred dollars, together with a forfeiture of all nets and other appliances used. Penalty.

2. This act shall take effect immediately.

Approved March 11, 1912.

CHAPTER 57.

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:*

1. Section seventy-six of the above-recited act is hereby amended so that the same shall read as follows: Section 76 amended.

76. Whenever a city board of education shall decide that it is necessary to raise money for the purchase of lands for school purposes, or for erecting, enlarging, repairing or furnishing a school-house or school-houses, it shall prepare and deliver to each member of the board of school estimate of such school district a statement of the amount of money estimated to be necessary for such purpose or purposes; said board of school estimate shall fix and determine the amount necessary for such purpose or purposes, and shall make two certificates of such amount, one of which certificates shall be delivered to said board of education, and the other to the common council, board of finance or other body in the city having the power to make appropriations of money raised by tax in such city; said common council, board of finance or other body may appropriate such sum or sums for such purpose or purposes in the same manner as other appropriations are made by it, and said sum or sums shall be raised, assessed, Method of raising money for lands or buildings. Appropriation.

levied and collected at the same time and in the same manner as moneys appropriated for other purposes in such city are raised, assessed, levied and collected; or said common council, board of finance or other body 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 city; bonds so issued shall be designated "school bonds," may be registered or coupon or both, of such denominations as the common council, board of finance or other board may determine, and shall be made payable in not more than fifty years from the date thereof; they shall be sold at public or private sale and not for less than par and accrued interest, and such city shall in its annual tax levy raise money sufficient to pay the interest on said bonds, together with at least one per centum per annum of the principal thereof, to provide a sinking fund for the retirement of said bonds at maturity; or 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 other school bonds already issued, shall become payable in each year beginning not more than ten years from date of the earliest issue and ending in not less 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; the proceeds of the sale of such bonds shall be deposited with the custodian of school moneys of such school district and shall be paid out only on the warrants or orders of the board of education; *provided,* that the total amount of bonds for the purposes named in this section, including bonds theretofore issued for such purposes, and not redeemed, shall not exceed at any one time a sum equal to three per centum of the taxable valuation of the real and personal property in such city; *provided, further,* that in the case of the repair, reconstruction, rebuilding,

Rate.

Issue school bonds.

Time.

Sinking fund.

Use of proceeds.

Proviso.

Proviso.

or erection and furnishing of a school-house to replace a school-house and furnishings thereof partially or totally destroyed by fire that the total amount of bonds for such purposes, including bonds heretofore issued for the purposes named in this section, and not redeemed, shall not exceed at any one time a sum equal to three and one-half per centum of the taxable valuation of the real and personal property in such city; *and provided further,* that if the charter of the city shall limit the amount of indebtedness in such city, or shall by its terms prevent the carrying out of the provisions of this section, said charter provisions shall be hereafter held not to apply to the issuing of bonds under the provisions of this section. Proviso.

2. This act shall take effect immediately.

Approved March 11, 1912.

CHAPTER 58.

An Act to change and amend the title and body of an act entitled "An act providing for the pensioning of school teachers in this State," approved March fifth, one thousand nine hundred and three.

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

The title of the above-entitled act be and the same is hereby changed and amended to read as follows: Title changed.

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. New title.

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

1. Any teacher, principal or superintendent who shall have been employed in the public school work not less than thirty-five years shall, upon application to the Who entitled to pensions.

board of education or other body, or by resolution of the board of education or other body by which such teacher, principal or superintendent shall be employed, be retired from duty on half the average annual salary during the last five years of service; *provided,* such teacher, principal or superintendent shall have been employed at least twenty years by the board of education, department or other body by which he or she shall be retired, and the payments to such persons shall be made at the same time and in the same manner as to persons regularly employed.

Proviso.

2. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 59.

Supplement to "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:*

Transfers and recommitments.

1. Prisoners who at the time of commitment to the State Reformatory at Rahway were over thirty years of age may be transferred by the commissioners to the State Prison. Persons under such age who have been placed upon probation for a first offence, or upon whom sentence has been suspended after conviction for such offence, may in the discretion of the court upon conviction of a second offence, be committed to the Reformatory for such first or second offence.

Punishments.

2. No prisoner in such Reformatory shall be confined in any dungeon therein. No corporal punishment shall be administered to any inmate unless done in the presence of the superintendent.

Repealer.

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

Approved March 13, 1912.

CHAPTER 60.

A Supplement to an act entitled, "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and close seasons for such capture and possession (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. It shall be unlawful to shoot into any squirrel's nest at any time of the year, under a penalty of twenty dollars for each offense. Shooting into squirrel nests.

2. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 61.

An Act concerning defective advertisement for the sale of real estate.

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

1. All sales of land heretofore advertised, which are required to be confirmed by an order or decree of any court of record in this State, shall be confirmed by the court, notwithstanding any defect or irregularity in the publication of the advertisement of said sale. *Provided,* that the officer making said sale shall certify under oath that said sale was otherwise regular and that the property was sold for a fair price, in the judgment of said officer, and *provided, further,* that the court Sales confirmed. Proviso. Proviso.

shall be satisfied by affidavit that the defect or irregularity in the publication was not injurious to the parties in interest.

2. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 62.

A Supplement to an act entitled "An act in relation to county expenditures," approved April second, one thousand eight hundred and seventy-eight.

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

Purposes for which temporary bonds may be issued.

1. If in any county in this State the amounts heretofore appropriated for the last preceding fiscal year for any of the following purposes, viz.,

(a) for elections heretofore held,

(b) for the State Board of Children's Guardians,

(c) for courts,

has or have been exceeded; or

(d) if the appropriation for elections to be held during the current fiscal year is hereafter exceeded; or

(e) where the board of chosen freeholders of any such county has had an audit made of the accounts of its county collector and has installed a new system of accounts and finance, and no appropriation was heretofore made for the expense of such audit or installation; or

(f) where a summary investigation of the affairs of the board of chosen freeholders of any county was made or is being made by a justice of the Supreme Court pursuant to the statute, and no appropriation was heretofore made to pay the expense thereof, by means whereof the gross appropriation to and for the use of the board of chosen freeholders thereof has been or may be exceeded in any or all of the foregoing cases, the board of chosen freeholders of such county may issue temporary loan bond or bonds to raise the moneys wherewith to pay the deficiency or deficiencies.

2. All temporary loan bonds issued under this act shall run for terms not exceeding two years from the date thereof, unless such board shall determine that to place the whole amount thereof in the tax levy for one or two fiscal years would be too burdensome on the taxpayers of the county, in which case substantially one-fourth of the amount of bonds so issued may be made payable in two, three, four and five years respectively from the date thereof; the same shall bear interest at not exceeding five per centum per annum; shall be sold either at public or private sale, in the discretion of such board, but for not less than par; and they shall be executed in the manner that county bonds are usually executed. Terms of bonds. Rate.

3. To meet the payment of such bond or bonds at maturity such board shall create a sinking fund, into which there shall be paid the moneys hereinafter referred to, to be used for the payment and discharge of said bond or bonds at maturity; and that such board in making up its appropriation for each fiscal year thereafter shall annually insert therein a sum which with the accumulations thereof will be sufficient to pay off the bond or bonds at maturity; and shall likewise insert therein a sum sufficient to pay the interest as it matures. Sinking fund.

4. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 63.

An Act to empower towns having plants for the treatment, disposal or rendering of sewage to reconstruct and enlarge such plants, and to issue bonds to pay the cost thereof.

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

1. Any town in this State which shall have heretofore established and constructed, by virtue of any law Towns may enlarge sewage disposal plant.

of this State, a plant for the treatment, disposal or rendering of sewage, is hereby authorized and empowered whenever in the judgment of its council or other governing body the said plant has become inadequate for its purpose, to provide by ordinance for the reconstruction and enlargement of such plant.

Bond issue.

2. The council or other governing body of any town which shall proceed under this act shall have power and authority, by ordinance, to provide for the issue of bonds for the purpose of providing funds for the payment of the costs and expenses incurred in the reconstruction and enlargement of said plant, including engineering fees and all other expenses connected therewith. Such bonds shall be sold at public or private sale after due advertisement at not less than par and shall be payable at a time, not exceeding thirty years from their date, and at such place, and shall be in such form as such council or other governing body shall provide, and shall bear interest at a rate not exceeding five per centum per annum.

Time.

Rate.

May borrow in anticipation of bond issue.

3. The council or other governing body may from time to time, in anticipation of the issuance of the bonds as provided in this act, borrow such sum or sums of money, not exceeding in the aggregate the estimated cost of the whole work, as may be required to pay the cost and expenses incurred or to be incurred in the reconstruction or enlargement of said plant, and may evidence such loan or loans by short-time certificates of indebtedness, promissory notes or other obligations, bearing interest at a rate not to exceed five per centum per annum, and payable from the proceeds of the bonds heretofore authorized as the same are sold or issued.

Repealer.

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

Approved March 13, 1912.

CHAPTER 64.

An Act prohibiting the impersonating of fish and game wardens or deputy fish and game wardens.

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

Unlawful to impersonate game warden.

1. No person shall falsely pretend that he is a fish and game warden of this State or a deputy fish and game warden of this State, nor shall any person, not being a fish and game warden of this State or a deputy fish and game warden of this State, impersonate a fish and game warden or a deputy fish and game warden, nor attempt, by any means whatsoever, to induce another to believe that he is such fish and game warden or deputy fish and game warden.

Penalty.

2. Any person violating the provisions of this act shall be liable to a penalty of fifty dollars, to be sued for and recovered by the person or persons in accordance with the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the acts amendatory thereof and supplementary thereto.

How recoverable.

Approved March 13, 1912.

CHAPTER 65.

A Further Supplement to an act entitled "An act for the appointment of commissioners for the better protection of the fishing interests of the State of New Jersey," approved March seventeenth, eighteen hundred and seventy.

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

Wardens may be armed.

1. The Board of Fish and Game Commissioners, with the approval of the Governor, may in writing authorize any of their salaried wardens to have in possession and carry a revolver, club, billy, handcuffs and twisters, or any such other weapon or article as may be required in the performance of their official duty.

2. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 66.

An Act to amend an act entitled "An act to regulate fishing by steam and other vessels with shirred or purse seines in the waters of the State of New Jersey, and to require a license for such fishing," approved March twenty-sixth, eighteen hundred and ninety-six.

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

Section 4 amended.

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

Penalty.

4. Any person or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall pay a penalty of two hundred dollars. Any person or corporation violating any of the provisions of this act shall, whether or not such person has been criminally prosecuted for such violation, be liable to a penalty of two hundred dollars for each offense, to be sued for and recovered in the manner provided and by the person or persons authorized to sue for and recover penalties by the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, eighteen hundred and ninety-seven, and the acts amendatory thereof and supplementary thereto.

How recoverable.

Approved March 13, 1912.

CHAPTER 67.

A Further Supplement to an act entitled "An act regulating the age, employment, safety, health and workhours 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:*

Additional labor inspectors.

1. In addition to the inspectors provided by the act to which this a supplement, and the amendments and supplements thereto, the Commissioner of Labor shall, immediately after the passage of this act, appoint two suitable persons as inspectors, one of whom shall have prac-

tical knowledge and skill as a baker, and the other practical knowledge and skill as a metal polisher and buffer, whose salary, powers, duties and term of office shall be the same as the inspectors already provided for.

2. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 68.

An Act to amend an act entitled "An act to enable cities of the second class of this State to improve public parks," approved March twenty-eighth, 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 of which this is an amendment is hereby amended so as to read as follows:

May borrow for park purposes.

1. It shall be lawful for the common council, board of aldermen, or other governing body of any city of the second class of this State to borrow money for the purpose of improving public parks to an amount not exceeding twenty-five thousand dollars in any one year.

Section 3 amended.

2. Section three of said act be and is hereby amended to read as follows:

May issue bonds.

3. If, in the opinion of the common council, board of aldermen, or other governing body of any city of the second class of this State, to place the entire cost of such improvement in the tax levy of any one fiscal year, would be too burdensome to the taxpayers of such city, it may and shall be lawful for such board to issue the bonds of such city to defray the expense thereof, which said bonds shall be of such denomination as said common council, board of aldermen, or other governing body of any city of the second class of this State may determine, and be registered or coupon as such board

determine, shall bear interest not exceeding four per centum per annum, payable semi-annually, and shall run for a period not exceeding thirty years, and shall be signed by the mayor and attested by the city clerk and countersigned by the city comptroller, and shall be sold at public sale to the highest bidder for not less than par; and said city shall annually thereafter place in the tax levy a sum sufficient to pay the interest on such bonds as it matures, and shall likewise create a sinking fund for the payment of said bonds at maturity, and place in the tax levy annually thereafter a sum sufficient with the accumulations thereof to pay off and discharge said bonds at maturity.

Rate.

Time.

Sinking fund.

3. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 69.

An Act to amend an act entitled "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," which said amendatory act was approved April fifth, one thousand nine hundred and four.

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

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

Section 3 amended.

3. Section twenty-seven of the above entitled act shall be and the same hereby is amended so as to read as follows:

Section 27 amended.

Bass fishing.

27. It shall be unlawful to take, catch or have in possession any black bass, Oswego bass, white bass, calico bass, or crappie, excepting only from the thirtieth day of May to the last day of November, both dates inclusive, of each year, and it shall be unlawful to take, catch or have in possession any pike perch, excepting only from the twentieth day of May to the last day of November, both dates inclusive, of each year, under a penalty of twenty dollars for each fish so caught, killed, taken or had in possession.

Pike perch.

Penalty.

2. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 70.

A Supplement to an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight.

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

Flag displayed at polling place.

1. The American flag shall be displayed in each polling place in this State by the boards of registry and elections during the hours when said boards are in session.

Who to furnish flag.

2. The board, body or officer now charged with the duty of defraying the expenses of conducting the primary and elections shall furnish said flag, which shall be approximately three feet by five feet in size.

3. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 71.

An Act to amend an act entitled "An act providing for the sale of unclaimed goods and chattels and for the disposition of unclaimed money by police departments of this State," approved April twentieth, one thousand nine hundred and nine.

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

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

Section 1 amended.

1. All goods and chattels which shall come into the possession of the police department of any municipality of this State by finding, or by being recovered as the result of theft or robbery, and which is, or shall be in the possession of the police department for one year, and when the owner or owners are unknown, cannot be found, or refuse to receive said goods or chattels, and all old material and property of such police department, which has been discarded or is unfit for use, other than real estate, may, in whole or in part, be exposed for sale by the board of police commissioners or other body having control of the police department, at public auction in some public place between the hours of ten o'clock in the forenoon and four o'clock in the afternoon upon a notice of said sale being first published for the space of five days in some newspaper circulating in the municipality in which such goods and chattels are held, and the proceeds of such sale, after deducting the expenses of said sale, shall be turned over to the board, body or person having control of the pension fund in such police department, for the benefit of such pension fund, and in any municipality where there is no police pension fund, the proceeds of such sale shall be paid into the treasury of the municipality, to be disbursed as other funds of the municipality are disbursed.

Unclaimed goods recovered by police to be sold.

Proceeds of sale devoted to police pension fund.

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

Section 2 amended.

Money not claimed turned into police pension fund.

2. All money which shall come into the possession of the police department of any municipality of this State from prisoners or by finding, or by being recovered as the result of theft or robbery, and which is, or shall be in the possession of the police department for one year, the owner or owners of which are unknown, cannot be found, or refuse to receive said money, said money shall be turned over to the board, body or person having control of the pension fund in such police department, for the benefit of such pension fund, and, in any municipality where there is no pension fund said money shall be paid into the treasury of the municipality, to be disbursed as other funds of the municipality are disbursed.

Section 3 amended.

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

Repealer.

3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall go into effect immediately.

Approved March 13, 1912.

CHAPTER 72.

An Act to enable towns to appoint a pound-keeper and fixing his duties, term of office and compensation.

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

Pertaining to pound-keeper.

1. In any town, or township in this State the town council or other legislative or governing body may, by ordinance, appoint a pound-keeper and fix his term of office and compensation, and said pound-keeper, when so appointed, shall perform such duties in addition to the duties imposed upon him, by any law of this State, as the council or other legislative or governing body may by ordinance prescribe.

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 13, 1912.

CHAPTER 73.

A 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 deeds validated.

1. No deed of conveyance, made and delivered since the first day of April, one thousand nine hundred and ten, shall be held or taken to be invalid, or in anywise insufficient because of the informality or insufficiency, or the entire absence of the certificate which, by the provisions of the act entitled "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," and approved April first, one thousand nine hundred and ten, may have been, or might be deemed to have been, necessary; and every such deed of conveyance, and the record thereof, shall be held to be as valid, effectual, and sufficient, to every intent and purpose, notwithstanding any informality or insufficiency in, or the entire absence of said certificate, as it would have been had such certificate, in due form, been made and endorsed on, or added to, such deed of conveyance.

2. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 74.

An Act to prohibit the shooting from boats on the South Shrewsbury river, in the county of Monmouth.

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

Protection of wild water fowl in South Shrewsbury river.

1. It shall be unlawful for any person to pursue any goose, duck, swan, brant, or any kind of water wild fowl whatsoever, or to shoot, or to shoot at, or kill or wound the same from any boat or vessel, on the waters of the South Shrewsbury river, in the county of Monmouth, under a penalty of twenty dollars for each offense, said penalty to be recovered by the persons authorized, and in accordance with the provisions of the act entitled, "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, eighteen hundred and ninety-seven.

2. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 75.

An Act to provide for liens on monuments, gravestones and cemetery structures, in favor of persons or corporations furnishing the same.

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

Lien on gravestones, monuments, etc.

1. A person, firm or corporation furnishing or placing in a cemetery or burial ground a monument, gravestone,

inclosure or other structure, shall have a lien thereon for the agreed price thereof, or the part remaining unpaid, with interest from the time the amount was due, upon filing with the superintendent or person in charge of such cemetery or burial ground, notice of lien as provided in this act.

Notice of lien filed.

2. Notice of lien. Such notice may be filed at any time after the completion of the work, but must be filed within one year after the agreed price for furnishing or placing such monument, gravestone, inclosure or other structure becomes due, and shall state that the lienor has a lien on such monument, gravestone, inclosure or structure for the purchase price thereof, or some unpaid part of such purchase price, with interest, specifying the amount agreed to be paid, and the amount unpaid, with a description of such monument, gravestone, inclosure or other structure, and the location of the plot upon which it stands, and the names of the persons with whom the agreement for the purchase and erection of the structure, or for the performance of such labor was made. The notice shall be signed and verified by the lienor. The lienor shall, within ten days after the filing of such notice, serve a copy personally, or by mail, upon the person with whom the agreement for the purchase and erection of such monument, gravestone, or other structure, or for the performance of labor thereon was made, and upon the owner of the lot upon which such monument, gravestone or other structure is erected, if the name and residence of such owner can, with reasonable diligence be ascertained.

Service of notice.

Enforcement of lien.

3. Proceedings to enforce lien. After the service of such notice, an action to recover the amount of the debt and to enforce a lien therefor may be maintained by the lienor against the person with whom the agreement was made, for the purchase and erection of such monument, gravestone, inclosure or other structure or for the performance of labor thereon. If such lienor succeeds in establishing his lien, the judgment recovered may authorize him to remove such monument, gravestone, inclosure or other structure from the burial ground or cemetery and to sell the same at public auction to satisfy

the amount of such judgment. Notice of the sale shall be published at least ten days before the time thereof, in a newspaper published in the town or city where such sale is to take place, and if no newspaper is published therein, in a newspaper nearest thereto. Such notice shall state the time and place of the sale, and shall describe the property to be sold. A copy of such notice shall be served personally or by mail at least ten days before such sale upon the persons served with the notice of lien as prescribed in the preceding section.

Use of proceeds of sale.

4. Disposition of proceeds of sale. The lienor shall, out of the proceeds of the sale, pay the expenses thereof, and the expenses of the removal of such monument, gravestone, inclosure or other structure from the cemetery or burial ground, not exceeding ten dollars if a gravestone and fifty dollars if a monument, inclosure or other structure, and retain out of such proceeds the amount due upon the judgment recovered in the action to enforce the lien, and the residue, if any, shall be forthwith paid to the judgment debtor.

Duties of cemetery officials.

5. Duties of officers of cemetery associations. The superintendent or other person in charge of a cemetery or burial ground shall not permit the removal, alteration or inscription of a monument, gravestone, inclosure or other structure, against which a lien exists, after the notice of such lien has been filed and served as prescribed in this act, except pursuant to the terms of a judgment recovered in an action brought to enforce such lien. No officer of a cemetery association, or other person connected with a cemetery or burial ground, shall hinder or obstruct the removal in a proper manner of any such monument, gravestone, inclosure or other structure pursuant to the terms of such judgment.

Repealer.

Any and all acts inconsistent with this act shall be and are hereby repealed.

6. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 76.

An Act to dedicate certain lands of the State of New Jersey, in the city of Trenton, in the county of Mercer, to public use.

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

Description of land dedicated by State for road in Trenton.

1. That the tract of land, abutting the river road, in the city of Trenton, in the county of Mercer, described as follows, to wit: Beginning at a point in the line dividing lands of the Park Place Land Company from said lands of the State of New Jersey; said point being also in the northerly line of the river road extending from West State street in the city of Trenton to the Yardley bridge, and westerly; and runs thence (1) north twelve and one-half degrees east along the aforesaid division line nineteen feet to a point; thence (2) westerly on a curve of three degrees (nineteen hundred and ten feet radius) deflecting to the south two hundred twenty-four feet to a point; thence (3) north eighty-four degrees and forty-six minutes west, twelve feet to a point; thence (4) still westerly on a curve of three degrees (nineteen hundred and ten feet radius) deflecting to the north three hundred six feet to a point in the line dividing lands of said State of New Jersey from lands of Louis Keeler; thence (5) south nineteen degrees west along said last mentioned dividing line forty-five feet to a point in the northerly line of said river road as the same now exists; and thence (6) easterly along the northerly line of said river road the several courses thereof as the same now exists to the point of beginning. The second, third and fourth most northerly courses being the northerly line of a proposed street or road sixty feet in width; be and the same is hereby dedicated to public use for the purpose of altering and

Proviso.

widening the river road in said city and county; *provided, however,* that in case the lands hereby dedicated should be vacated or used for purposes other than for a public, then the State of New Jersey, its officers or agents, may re-enter upon, enclose, and resume the possession of the lands hereby conveyed.

2. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 77.

A Supplement to an act entitled "An act to authorize incorporated towns to construct, operate and maintain a system of sewers, or a system of sewers and drains, and to provide for the payment of the costs of the construction, operation and maintenance thereof," approved April third one thousand nine hundred and two.

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

Town may issue additional sewer bonds.

1. The mayor and board of aldermen or other governing body of any incorporated town is hereby authorized to borrow money, by issuing bonds in the name and on the credit of such incorporated town, to be denominated "sewer bonds," in addition to the bonds issued under section thirty-nine of the act to which this is a supplement for the purpose of raising money to pay and satisfy the costs and expenses authorized to be incurred under the terms of the act to which this is a supplement in the construction of a system of sewers or a system of sewers and drains, and which have not been paid by money raised on note or notes or temporary obligations of said incorporated town, and also to pay and satisfy the costs and expenses of litigation growing out of the said work including any judgment

or judgments which may be obtained against such incorporated town; *provided, however,* that the total amount of bonds issued under the act to which this is a supplement and those to be issued under this supplement shall not together exceed seven per centum of the assessed value of the property of such incorporated town as shown by the books of the assessor for the last assessment made previous to the adoption of the act to which this is a supplement. Proviso. Total issue.

2. The mayor and board of aldermen or other governing body of such incorporated town, shall, by resolution, determine the amount of bonds to be issued, the time or times when such bonds shall become payable, whether at the same time, or at different times, and the rate of interest, when such interest shall be paid, and the general form of such bonds. Said bonds shall not be payable less than ten years or more than fifty years after date, and shall not bear more than four per centum interest, or be sold for less than par, and shall be a like lien as if issued under the terms of the original act. Terms of issue. Time. Rate.

The provisions of sections forty and forty-one of the act to which this is a supplement relating to the sinking fund and interest shall be applicable to the bonds issued pursuant to this act. As to sinking fund.

3. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 78.

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:*

1. All affidavits, acknowledgments and proofs of deeds, mortgages and other writings and the certificates Certain acts of commissioners of deeds validated.

thereof heretofore taken or made before or by any commissioner of deeds in and for this State, or before or by any foreign commissioner of deeds for this State whose term of office had expired or whose commission was void at the time of taking such affidavit, acknowledgment or proof, and the record of such affidavits, 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 office of the commissioner taking such affidavit, 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.

Approved March 13, 1912.

CHAPTER 79.

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

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

Section 9 amended.

1. Section nine of the act above mentioned be and the same is hereby amended to read as follows:

Certificates recorded with county clerk and filed with Secretary of State.

9. The certificate of incorporation shall be proved or acknowledged as required for deeds of real estate, and recorded in a book to be kept for that purpose in the office of the clerk of the county where the principal office of such corporation in this State shall be established, and, after being so recorded, shall be filed in the office of the Secretary of State; said certificate, or a copy thereof, duly certified by the Secretary of State, shall be evidence in all courts and places; *provided, however,* that nothing in this act shall be construed to

Copy in evidence. Proviso; acknowledgments by women.

require the acknowledgment of such certificate of incorporation by any feme covert on private examination, apart from her husband, and any certificate of incorporation acknowledged or proved by a feme covert as deeds for real estate are required to be acknowledged or proved by a feme sole shall be valid and effectual in law; and any certificate of incorporation which has been heretofore acknowledged by a feme covert not upon private examination apart from her husband and which shall have been in all other respects valid and effectual, is hereby confirmed and made valid and effectual in law.

2. This act shall take effect immediately.

Approved March 13, 1912.

CHAPTER 80.

An Act to amend an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven.

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

1. Section twenty-two of the act to which this is an amendment is hereby amended as follows: Section 22 amended.

22. Whenever it appears to the board that a public highway and a railroad cross one another or that a public highway and a street railway cross one another or that a railroad and a street railway cross one another at the same level, and that conditions at such grade crossing make it necessary for the protection of the traveling public at such grade crossing that gates be erected or that some other reasonable provision for the protection of the traveling public at such grade crossing should be adopted, the board may order and direct such Protection at grade crossings.

railroad company or such street railway company, or either or both of them, to install such protective device or devices or adopt such other reasonable provision for the protection of the traveling public at such crossing as in the discretion of the board shall be necessary, or whenever it shall appear to the board that ingress or egress to any railroad station shall be obstructed by its tracks, trains or engines, or the tracks, trains or engines of any other railroad company in such a way as to endanger the traveling public, the board shall have power to order the construction or erection of a subway or other protective device in order to afford safe ingress and egress to such railroad station, upon such terms as may appear reasonable to said board.

Subway passage at station.

2. All acts or parts of acts, in so far as they are inconsistent herewith, are hereby repealed and this act shall take effect immediately.

Repealer.

Approved March 13, 1912.

CHAPTER 81.

A Supplement to an act entitled "An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water-rates or water-rents in cities of this State, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment," approved March thirtieth, one thousand eight hundred and eighty-six.

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

Purchaser may notify mortgagees inadvertently omitted.

1. Any subsequent purchaser or grantee of any lands heretofore or hereafter sold pursuant to the provisions of said act and supplements thereto and amendments

thereof, may, provided the said subsequent purchaser or grantee is the last owner of said lands as appears by the records since the said sale in the county in which said lands are situated, give notice in his or their names, of such sale to any owners mortgagees and other persons interested, whose names have been omitted by inadvertence or otherwise, as required by said act and supplements thereto and amendments thereof, and acquire title to the lands and receive a supplemental deed therefor, in the same manner and to the same effect and extent as if such subsequent purchaser or grantee were the original purchaser or purchasers at the tax sale, and such notice or notices heretofore or hereafter given by such subsequent purchaser or grantee, are declared to be valid and effectual and to have the same force and effect as if given pursuant to said act and supplements thereto and amendments thereof.

Title validated and supplemental deed issued.

2. This act shall take effect immediately.

Approved March 14, 1912.

CHAPTER 82.

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:*

1. Every officer or employe of the Circuit Court, Court of Oyer and Terminer, Court of Common Pleas, or Court of General Sessions in each of the counties of this State, holding office or employment at the time of

Court employes under civil service.

the introduction of this act, or who may hereafter be appointed, shall continue to hold their offices or employments, as the case may be, and shall not be removed therefrom, except in accordance with the provisions of the act to which this act is a supplement.

2. This act shall take effect immediately.

Approved March 14, 1912.

CHAPTER 83.

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:*

Department of labor under civil service.

1. The assistant commissioner of the Department of Labor and all inspectors of the Department of Labor shall hereafter be included in the competitive class in the classified service and not in the unclassified service, and shall be subject to the laws, rules and regulations governing such competitive class in the classified service, in accordance with the provisions of the act to which this act is a supplement and the acts amendatory thereof and supplemental thereto; and the assistant commissioner of the Department of Labor and all inspectors of the Department of Labor now in the employ of the State shall continue to hold their offices or employments and shall not be removed therefrom except in accordance with the provisions of section twenty-four of the act to which this act is a supplement, it being the intention hereby to include such assistant commissioner and

all such inspectors within the classified service of the State and to subject them in all respects to the provisions of the act to which this act is a supplement and the acts amendatory thereof and supplemental thereto.

Repealer.

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

Approved March 14, 1912.

CHAPTER 84.

An Act to permit the retirement, on pension, and retention of those now receiving pensions by law, heretofore retired or resigned, from public office or position, after twenty years' continuous or aggregate service in public office or position of honorably discharged Union soldiers, sailors and marines who served in the War of the Rebellion, defining the manner of payment of the said pension and repealing 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, and also repealing an act entitled "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," approved April eighth,

one thousand nine hundred and ten; and also repealing an act entitled "An act to amend the title and body of and to further 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," approved May first, one thousand nine hundred and eleven.

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

Retirement of veterans after twenty years' service.

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 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;

Proviso.

provided, this act shall not be construed to affect beneficiaries drawing pensions at the time of the passage of this act, whether acts under the authority of which such pensions are being drawn are repealed by this act or not; but, such persons who are affected by any repealer herein contained, or by implication of repeal of any law, shall be provided for in accordance with the provisions of this act.

Entitled to pensions.

2. 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;

Proviso.

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; and *provided further,* that no pension paid under this act shall be less than fifty dollars per month, unless the person so retired shall at the time of his retirement be receiving compensation less than fifty dollars per month, in which case he shall be paid on retirement the full amount then being received by him for such service. Proviso.

3. 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 retired, and no pension shall cease or become invalid by reason of the abolition of the department or office in which he served, or any change in its title. Provision for pension.

4. The 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, and the act entitled "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, approved April eighth, one thousand nine hundred and ten," and the act entitled "An act to amend the title and body of and to further 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," approved May first, one thousand nine hundred and eleven, are hereby repealed and this act shall take effect immediately. Acts repealed.

Approved March 19, 1912.

CHAPTER 85.

A Supplement to an act entitled "An act in relation to county expenditures," approved April second, one thousand eight hundred and seventy-eight.

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

Money for county parks.

1. In ordering in each year the amount of money to be raised for county purposes the boards of chosen freeholders of the several counties in this State, may, in their discretion, order money to be raised for the construction or permanent improvement of parks and parkways in such counties where the power to expend money therefor has been vested by law in any county park commission, upon requisition of said park commission, and when so raised shall turn over said money to said county park commission to be expended by said county park commission for the construction or permanent improvement of the parks and parkways of said county; *provided, however,* that the amount to be raised in any one year, under the provisions of this act shall be limited to one hundred thousand dollars; *provided, however,* that nothing in this act contained shall be taken to repeal, amend or otherwise affect any law or laws of this State, authorizing boards of chosen freeholders to issue bonds for the construction or permanent improvement of parks and parkways, on the requisition of any county park commission.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved March 19, 1912.

CHAPTER 86.

An Act to amend the title and body of an act entitled "An act concerning police in municipalities," approved May fourteenth, one thousand nine hundred and seven, so as to make the title and body of the act conform.

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

Title amended.

1. The title of the act entitled "An act concerning police in municipalities," approved May fourteenth, one thousand nine hundred and seven, be and the same is amended so as to read as follows: An act concerning police in certain municipalities in this State.

Section 2 amended.

2. That section two (2) of said act be amended so as to read as follows:

Service prior to promotion.

2. In any such municipality where members of the police force are or may be removable only for cause, after hearing, no person shall be appointed to any office or position on the police force, above the rank and file of the force, by whatever name designated, unless such person shall have served continuously as a member of such force for at least five years.

Repealer.

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

Approved March 19, 1912.

CHAPTER 87.

An Act to supplement and amend an act entitled "An act to establish a State reformatory for women, to provide for the government thereof and the commitment thereto of women convicted of crimes and other offences."

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 is a supplement and an amendment, is hereby amended to read as follows.

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 employees as the board of commissioners shall determine. All officers and employees, except the superintendent, shall be appointed, and be subject to removal by the superintendent, with the approval of the commissioners. The commissioners and the superintendents shall be subject to removal by the Governor for cause, shown upon charges filed and after hearing.

Governor may remove.

Section 12 amended.

2. Section twelve of the act of which this is a supplement and an amendment, is hereby amended to read as follows:

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 and under the age of thirty years 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.

Record of prisoners.

Duties of sheriffs and clerks.

3. If any female committed to such institution, shall at the time of such commitment, or at any time thereafter, during the term of commitment, be or become ill and require medical or surgical treatment, and if in the opinion of the board of commissioners of such institution, on the recommendation of the physician in charge, it is not practical or expedient to care for the said female during such illness or any part thereof at such institution, the board of commissioners may in their discretion cause such female to be placed in a hospital in this State for such medical or surgical treatment as may be necessary, and pay for the care and maintenance of such female patient therein not to exceed two dollars and fifty cents per week, during the time said female patient shall remain at such hospital, and to permit such female patient to remain at such hos-

Treatment in cases of sickness.

Hospital charges.

Length of time in hospital.

pital until cured or, in the discretion of the board, upon recommendation of the physician in charge of said reformatory, it may be advisable to return said female to such institution, or until the term of commitment of said female shall have expired.

4. This act shall take effect immediately.

Approved March 19, 1912.

CHAPTER 88.

A Supplement to an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven.

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

Reduced rates for clergymen.

1. That nothing contained in the act to which this act is a supplement shall be construed to prevent the transportation by any railroad company of ministers of religion at special or reduced rates.

2. This act shall take effect immediately.

Approved March 19, 1912.

CHAPTER 89.

An Act to regulate the sale of insecticides.

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

Statement furnished State chemist by dealers.

1. Every manufacturer of insecticides within this State and every dealer in original packages of insecti-

cides manufactured outside of the State shall each year before selling, offering or exposing for sale, submit to the chemist of the New Jersey Agricultural Experiment Station, who is called in this act the State Chemist, a written or printed statement, on blanks to be furnished by the State Chemist, setting forth the brand or brands of insecticides to be sold, offered or exposed for sale, the name of the manufacturer and the place of manufacturing, also, the minimum amount of total arsenic and maximum amount of water-soluble arsenic which the insecticide contains. If the insecticide does not contain arsenic, the professed standard must be stated. When the registration of any brand is made by the manufacturer or jobber, nothing in this section shall be construed as applying to retail dealers. The statement so furnished shall be printed and attached to each package sold by the retail dealer, and shall be considered a guarantee of the composition of the material. If the material is sold in bulk this guarantee must be attached to the container and a copy of the guarantee given upon a request from the purchaser.

Amount of arsenic stated.

Statement on packages.

2. After filing the statement as required in section one, the State Chemist shall issue a certificate stating that the registration has been made, said certificate shall be furnished without charge, and when furnished shall authorize the party receiving the same to deal in the brand of insecticide mentioned.

Certificate issued by chemist.

3. The term "insecticide" as used in this act shall include any substance or mixture of substances intended to be used for preventing, destroying, repelling or mitigating any insects which may infest vegetation. The term "Paris green" as used in this act shall include the product sold in commerce as Paris green and chemically known as the aceto-arsenite of copper. The term "lead arsenate" as used in this act shall include the product or products sold in commerce as lead arsenate, and consisting chemically of products derived from arsenic acid (H_3AsO_4) by replacing one or more hydrogen atoms by lead.

Definitions.

4. For the purpose of this act an article shall be deemed to be adulterated—in case of Paris green: first,

Adulteration of Paris green;

if it does not contain at least fifty per centum of arsenious oxide; second, if it contains arsenic in water-soluble forms equivalent to more than three and one-half per centum of arsenious oxide; third, if any substance has been mixed and packed with it so as to reduce or lower, or injuriously affect the quality or strength.

Lead arsenate;

In case of lead arsenate: first, if it contains more than fifty per centum of water; second, if it contains total arsenic equivalent to less than twelve and one-half per centum arsenic oxide (As_2O_5); third, if it contains arsenic in water-soluble forms equivalent to more than seventy-five one-hundredths per centum of arsenic oxide (As_2O_5); fourth, if any substances have been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength; *provided, however,* that extra water may be added to lead arsenate (as described in this paragraph) if the resulting mixture is labeled lead arsenate and water, the percentage of extra water being plainly and correctly stated on the label.

Other insecticides.

In case of insecticides other than Paris green and lead arsenate: first, if its strength or purity fall below the professed standard of quality under which it is sold; second, if any substance has been substituted wholly or in part for the article; third, if any valuable constituent of the article has been wholly or in part abstracted; fourth, if it is intended for use on vegetation and shall contain any substance or substances which, although preventing, destroying, repelling or mitigating insects, shall be injurious to such vegetation when used.

Analyses of various brands.

5. The State Chemist shall examine, or cause to be examined, the different brands of insecticides found in the State, and shall publish the analyses so made in the Experiment Station bulletins, together with such other additional information in relation to the character, composition and use thereof, as may seem to be of importance, and issue the same annually or more frequently if deemed advisable.

Analysis in evidence.

6. In the trial of any suit or action wherein is called in question the composition of any insecticide, a certificate signed by the State Chemist, and duly attested,

setting forth the analysis made by the State Chemist, or under his direction, under provisions of this act, shall be prima facie proof that the insecticide was of the consistency shown by his said analysis; and the said certificate of the State Chemist shall be admissible to evidence to the same extent as if it were his deposition taken in said action in the manner prescribed by law for taking depositions.

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 fined in the sum of fifty (50) dollars. All penalties imposed shall be paid into the treasury of the State.

Expenses.

8. The expenses incurred by the State Chemist in carrying out the provisions of this act shall be paid out of the State treasury under the authority of the director of the New Jersey Agricultural Experiment Station; *provided,* such expenses do not exceed the sum of one thousand dollars in any year.

Proviso.

Repealer.

9. Every act or part of act conflicting with the requirements of this act are hereby repealed.

10. This act shall take effect immediately.

Approved March 19, 1912.

CHAPTER 90.

An Act providing for the construction, maintenance, operation and use of sewers, sewer systems and sewage disposal plants in cities of this State and providing for the payment of the cost thereof.

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

All charges borne by city at large.

1. In any city of this State which has heretofore or may hereafter construct a sewer system and sewage disposal plant no rentals for the use of any sewer or

sewers comprising any part of such sewer system shall be charged or collected, but the entire cost of construction, maintenance, operation and use of such sewers, sewer system and sewage disposal plant shall be raised by taxation and borne by the said city at large.

Provision for funds.

2. The governing body, or, in any city having a board of sewer commissioners, the board of sewer commissioners shall cause the amount necessary for maintaining and operating such sewers during the year and salaries, charges and incidental expenses connected with the maintenance and operation thereof to be raised and placed to the credit of said body or board for the purpose aforesaid by adding the amount thereof to the amount of taxes to be raised annually by the taxing authorities of said municipality and the sums so raised shall not be counted or included in any limitation as to the maximum tax rate prescribed by any law for such municipality.

Present procedure not affected.

3. This act shall not affect the procedure for paying the principal and interest of bonds by sinking fund and taxation or otherwise as now provided by law except that no rentals shall be charged or collected for such purpose.

Referendum.

4. 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 question at a special election to be held in accordance with the provisions of the general election law. Whenever the governing body, or, in any city having a board of sewer commissioners, the board of sewer commissioners shall pass a resolution requesting him so to do, it shall be the duty of the city clerk of such city to transmit a certified copy of said resolution to the county board of registry and election, which board shall thereupon designate a time and place or places for the holding of said election. The only proposition submitted at said election shall be as follows:

Election.

Question to be voted on.

"For the adoption of 'An act providing for the construction, maintenance, operation and use of sewers, sewer systems and sewage disposal plants in cities of this State and providing for the payment of the cost

thereof, approved " and "Against the adoption of 'An act providing for the construction, maintenance, operation and use of sewers, sewer systems and sewage disposal plants in cities of this State and providing for the payment of the cost thereof,' approved ."

If a majority of the votes cast at such special election shall be in favor of such proposition, this act shall become operative in any such city, but not otherwise. Result.

Approved March 19, 1912.

CHAPTER 91.

An Act authorizing cities in this State to construct and maintain purification and filtration plants, and to acquire lands therefor, by purchase or condemnation, and the raising of funds for such purposes by the issuance of bonds.

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

1. It shall be lawful for the board or body having charge and control of the water-supply in any city of this State to acquire for and in the proper corporate name of such city, by good and sufficient deeds, lands which, in the judgment of said board or body, are, either alone, or with such lands as may have been heretofore acquired by such city, suitable for, and to construct and maintain upon the lands acquired or lands to be acquired, or both, a purification and filtration plant, with the necessary machinery, appliances and appurtenances, for the purpose of supplying such city with pure and wholesome water, and to operate the same in connection with the water works of such city. Such plant may be located within or without the limits of such city at any place within this State. The power to acquire Land for filtration plant. Appurtenances. Location.

Right of acquisition.

lands, or rights or interests in lands, within and without the boundaries of such cities, which may be deemed necessary for the construction of pipes, conduits, buildings and purification and filtration plant and its appurtenances, shall include the right to purchase in each instance, at such price as is agreed upon by the owner or owners of lands, or interest or interests therein, and, in the judgment of the board or body having charge and control of the water-supply of such city, is fair and reasonable, and, if such board or body can not agree with such owner or owners, the power to acquire shall include the power to condemn and take in the proper corporate name of such city, such land or lands, or interests therein, for the uses herein prescribed, upon compensation therefor ascertained and paid, or tendered, as provided by the general laws of this State relating to the condemnation of lands for public uses.

May condemn land.

Powers conferred.

2. The said city, through its engineers, officers and agents, shall have power to construct any pipe or conduit, by it to be made or constructed, under or over any water-course, under or over or across or along any street, turnpike, railway, canal, highway or other way, and in or upon private or public lands, and in or upon lands of this State, and under highways of this State in such manner, however, as not unnecessarily or unreasonably to obstruct or impede traffic or navigation, and may enter upon or dig up, any street, road, highway or private or public lands, for the purpose of constructing or laying pipes, or conduits, upon or beneath the surface thereof, and for maintaining and operating the same, and, in general, may do all other acts and things necessary, convenient and proper to carry out the general purposes expressed in this act. It shall be the duty of such city to restore any and all streets, roads, highways, turnpikes, railways, or canals that may be disturbed or dug up in the course of such operations as nearly as possible to the same condition that they were in prior to such disturbance.

Restoration of disturbed property.

Right of entry.

3. Said city may, by its officers, engineers, agents, servants and employees, enter at all times upon any lands or waters for the purpose of exploring, surveying,

leveling and laying out the route of any pipe or conduit, or the site of any plant authorized under this act, and doing all necessary preliminary work, doing, however, no unnecessary injury or damage to private property.

Working staff.

4. Every city operating under this act is hereby authorized to appoint such engineers, chemists, superintendents, clerks and other agents and officers as may be necessary for the management, supervision and maintenance of said plant, both in its construction and in its operation, and at pleasure to remove the same; to fix and pay to each of said appointees such salary or compensation as may be fixed. The appointment of such officers and agents, and the fixing of their salaries, shall be done by the board or body having charge and control of the water-supply in such city. All costs and expenses, including salaries incurred in connection with the construction of said plant, or its appurtenances, may be paid, in the discretion of said board or body, from the proceeds, including premiums, if any there be, of any bonds issued pursuant to the authority of this act; and all other costs and expenses necessary in the maintenance and operation of such plant shall be paid from the earnings of the water-supply.

Appointment.

Payment of cost.

Advertising and contracts.

5. All work done or materials furnished for the construction or operation of said plant, or its appurtenances, the cost of which shall exceed one thousand dollars, shall be by contract awarded, after due advertisement, to the lowest responsible bidder, and all contractors shall be required to give bonds satisfactory in security and amount.

Bond issue.

6. To provide for the payment of the cost and expense incurred, or to be incurred, for the acquisition of lands, rights or interests in lands or other property rights, and for the construction of said plant, and its appurtenances, and for engineering, administrative and other expenses connected therewith, the board or body having charge of the finances of such city, shall have power, from time to time, to provide, by resolution, for the issuance and sale of bonds in such amounts as to said board or body may seem advisable; *provided, however,* that the amount of bonds issued as aforesaid, and

Proviso; amount limited.

outstanding, shall not at any time exceed the sum of five hundred thousand dollars. Said bonds shall be designated on their face "Water Improvement Bonds," and be of such denominations, bearing such rate of interest, not exceeding five per centum per annum, and be payable at such places and such times, not exceeding fifty years from their date, and be in such form, and be executed in such manner, as said board or body shall be resolution determine. Said bonds shall recite that they are issued pursuant to the authority of this act and of said resolution, and such recital shall be conclusive evidence of their validity and of the regularity of their issuance. Said bonds shall be sold at not less than their par value, at public sale, after ten days' advertisement of notice of such sale, in such manner as said board or body shall direct. The proceeds, including premiums, if any there be, resulting from the sale of such bonds shall be appropriated by said board or body for, or applied to, the payment and discharge of any expenses or obligations of such city theretofore or thereafter incurred in carrying out the work or improvement authorized by this act. The purchasers of said bonds shall not be required to inquire as to the necessity for the issuance thereof, nor as to the application of the proceeds.

Name.

Rate.

Time.

Details of issue.

Sinking fund.

7. Any board or body issuing bonds under the authority of this act shall provide for a sinking fund which it shall deem sufficient to redeem such bonds at maturity, in the following manner: the board or body having charge of the water-supply of such city shall annually pay, in the manner prescribed by law, out of the earnings of the water works in such city, the interest on said bonds, and shall annually pay, in the manner prescribed by law, to the sinking fund commission of such city, a sum equal to not less than one per centum of the principal of such bonds, said moneys to be received by the said sinking fund commission and applied by them to redeem said bonds at their maturity; *provided, however,* that in the event of the earnings of said water works being insufficient for the purpose of paying said interest and portion of the principal sum in any year during the life of said bonds, then, in that event, such sums shall

Proviso.

be paid in the following manner, to wit, a sum equal to the yearly interest and one per centum of the principal thereof shall be added to the amount to be raised by taxes in the said city for each and every year that said earnings of said water works are insufficient for the purpose of making payments as aforesaid, and the portion of the principal so raised by taxes, if so raised, shall be applied to the redemption of said bonds at maturity; *provided, however,* that in lieu of providing for a sinking fund as aforesaid, said board or body may provide that any issue of bonds may mature in annual installments, as nearly equal in amount as conveniently may be, the first of which shall be payable not more than one year from date of said bonds, and the last not more than fifty years from said date. Proviso.

8. The powers conferred by this act shall be deemed to be in addition to, and independent of, any and all power and authority conferred by any other law or laws and not subject to any limitations, restrictions or provisions contained in any other law or laws. Powers conferred additional.

9. This act shall take effect immediately.

Approved March 20, 1912.

CHAPTER 92.

An Act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act relative to sales of land under a public statute, or by virtue of any judicial proceedings"'" (Revision), approved March twenty-fifth, one thousand eight hundred and seventy-four, which amendment was 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 of the act to which this is an amendment be and the same is hereby amended to read as follows: Section 1 amended.

Notice of sale posted.

1. In all cases whatsoever where any sheriff, coroner, master in chancery, executor, administrator, guardian, commissioners, auditors or other officers or person, is now or hereafter shall be authorized or required by any public statute, or the direction of any court of competent jurisdiction in this State, to make sale of any lands, tenements or hereditaments or real estate, such officer or officers, person or persons, unless specially directed by law, shall give notice by public advertisement signed by himself, herself or themselves, and set up at five or more public places in the county, one whereof shall be in the township, ward or city where such real estate is situate, of the time and place of such sale at least three weeks next before the time so appointed, and shall also cause the same to be published four times in two newspapers to be designated by such officer or officers, person or persons, printed and published in the county in which the lands are situate, of which one shall be either a newspaper printed and published at the county seat of said county or a newspaper printed and published in the municipality in said county having the largest population by the last preceding federal or State census, at least once a week, during four consecutive calendar weeks, the last publication to be not more than seven days prior to the time appointed for selling the same; and at the time and place so appointed, between the hours of twelve and five in the afternoon, such officer or officers, person or persons, shall sell the same at public vendue to the highest bidder.

Advertised in two newspapers.

2. This act shall take effect immediately.

Approved March 19, 1912.

CHAPTER 93.

An Act to amend an act entitled "A supplement to an act entitled 'An act concerning townships (Revision of 1899),' approved March twenty-fourth, one thousand eight hundred and ninety-nine, and also supplement to an act approved June seventh, one thousand nine hundred and eleven," approved June seventh, one thousand nine hundred and eleven.

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

Township recorder.

1. In any township in this State having a population of more than two thousand inhabitants, as shown by the official State or United States census, the township committee may, in its discretion, appoint some fit person residing in such township to be recorder, to hold office for three years, and may fix compensation to be paid such recorder, not to exceed four hundred dollars per annum, in lieu of all fees allowed by law in such cases; and all fees collected by such recorder shall be accounted for to the township committee and paid over to the township treasurer.

Term.

Salary.

Fees.

Jurisdiction.

2. Such recorder shall have the same jurisdiction, power and authority in criminal matters, cases of bastardy, relief, removal and settlement of the poor, breaches of the peace, vagrancy, and disorderly conduct and violation of municipal ordinances as is by law conferred upon justices of the peace of such municipality.

3. This act shall take effect immediately.

Approved March 20, 1912.

CHAPTER 94.

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

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

Crematory.

1. Whenever, in the opinion of the council, it shall be necessary to cremate or otherwise dispose of the garbage and other refuse collected in such borough, it shall be lawful for such council to purchase, condemn, take, have, hold and enjoy, in the corporate name of the borough, all necessary lands and real estate in such borough, and to erect thereon a building or buildings, and equip the same with all appliances necessary and suitable for the cremation or other disposal of such garbage and refuse matter.

Horses, wagons, etc.

2. It shall be lawful for the council of any borough adopting or taking advantage of any of the terms or provisions of this act, to purchase and maintain the necessary equipment such as horses, carts, and wagons for the collection or removal of ashes and the collection or removal of garbage and other refuse matter, and to establish and maintain a system or business of collecting, removing and disposing of ashes and garbage in such borough.

May contract for disposition of ashes and garbage.

3. It shall be lawful, if, in the opinion of the council, it is more advantageous for such borough to have such ashes and garbage and other refuse matter collected or removed by persons other than the borough authorities, to make a contract or contracts, not exceeding the term of five years at a time, with any corporation or individual for the collection or removal of ashes, and the collection or removal of garbage; *provided* such contract or contracts shall be entered into and made only after bids

Proviso.

therefor shall have been advertised for in one or more newspapers published or circulating in said borough for at least once a week during two successive weeks prior thereto, and then only with the lowest responsible bidder or bidders who shall give satisfactory bonds or security for the faithful performance of the work.

Officers, employes, etc.

4. It shall be lawful for the mayor with the consent of the council of any borough taking advantage of any of the terms or provisions of this act to appoint any and all officers, agents, engineers, or employees that they may deem necessary to be employed in and about the maintenance and operation of any such plant for the cremation or other disposal of such garbage and refuse matter as aforesaid; and all officers, agents, or employees that they may deem necessary to be employed to carry on and conduct the system or business of collecting, removing and disposing of ashes and garbage as aforesaid; to define their duties, regulate their compensation and provide for their removal and said council shall have power, and they are hereby authorized to make, ordain and establish all such ordinances, resolutions, rules and regulations as said council may deem necessary and proper for the operation of such plant for the cremation or other disposal of garbage and refuse matter and the government of the employees connected therewith and for the introduction, operation and management of such system or business of collecting, removing and disposing of ashes and garbage and other refuse matter as aforesaid and the government of the employees connected therewith.

Duties defined.

Rates for collection.

5. It shall be lawful for the council of any borough adopting or taking advantage of any of the provisions of this act and they are hereby authorized to fix the rate or rates to be charged by said borough for the collection, removal or disposal of ashes, garbage, and other refuse matter and to maintain an action at law to recover any moneys due for collecting, removal and disposing of any ashes, garbage or other refuse matter.

Bond issue.

6. In order to supply the funds necessary to carry into effect the provisions of this act it shall be lawful for the council and it is hereby empowered to issue the

Amount.

bonds of such borough to an amount not to exceed fifteen thousand dollars, which bonds shall be sold at public sale for not less than par and accrued interest; and all money received from the sale of said bonds, including any premium or premiums shall be used exclusively for such purposes.

Time.

7. The bonds to be issued under the provisions of this act shall be payable in not more than thirty years from the date thereof, shall bear interest at a rate not

Rate.

exceeding four and one-half per centum per annum, be of such denomination as said council shall determine,

Details of issue.

and shall be executed by the proper officials of said borough and may be either registered or coupon bonds, as the said borough council may direct and said borough council may from time to time at the request and at the expense of the holders thereof, exchange coupon bonds for registered bonds, or change the denomination of such bonds.

Sinking fund

8. In order to redeem such bonds at maturity, there shall be established in such borough, a sinking fund, into which it shall be the duty of said council, to pay or cause to be paid, annually, a sum amounting to not less than three per centum of the amount of the principal of the bonds issued under the provisions of this act, which fund shall be appropriated, raised and provided, by annual taxation or otherwise, by said borough council, and it shall be under the charge and control of the sinking fund commissioners of such borough, by whatsoever name they may be called.

Interest.

9. The interest on said bonds shall be paid semi-annually, out of the funds to be provided for that purpose by way of taxation or otherwise, by said borough council.

Disposition of proceeds.

10. Such portions of the moneys received as payment for collecting, removing, and disposing of ashes and garbage as may remain after paying all expenses and costs, for maintenance and operation of such plant for the cremation of such garbage and refuse matter, and for carrying on and conducting the system of collecting, removing, and disposing of ashes and garbage, and salaries, wages and incidental expenses and charges, shall be applied by said council; first to the payment

of the interest upon the debt created for the purchase and construction of said plant, for the cremation of garbage and refuse and maintaining the necessary equipment for the collection or removal of ashes, and the collection or removal of garbage and other refuse matter, and, next, to the purchase of the bonds issued therefor, if the same can be obtained at reasonable rates; or, if that cannot be effected, then to be safely invested by the sinking fund commissioners of said borough, by whatsoever name they may be called.

Money may be raised by taxation.

11. The council shall have power by ordinance or resolution to appropriate and provide for raising by taxation such moneys as may be necessary for the management, maintenance and operation of such plant and equipment, and for the collection, removal, cremation or other disposal of ashes, garbage or other refuse in such borough.

Powers given additional.

12. The powers and privileges herein conferred, are in addition to and not in lieu of any of the powers and privileges conferred by any laws creating or effecting any such borough.

13. This act shall take effect immediately.

Approved March 20, 1912.

CHAPTER 95.

An Act to provide for the erection of monuments commemorative of the services of the soldiers and sailors of the late Spanish War and authorizing appropriations for such purposes.

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

Municipalities may contribute toward monument.

1. Whenever any organization or association of veterans in any county in this State shall hereafter file with the board or body having control of the finances of any city, town, borough, village, township or other munici-

New Jersey State Library

pality, a statement, duly verified by the oath of at least five members of said organization or association, setting forth that said organization or association proposes to erect within or near the boundary of any said municipality a monument commemorative of the services of the soldiers and sailors of the United States forces in the late Spanish War of one thousand eight hundred and ninety-eight, with a general description of such proposed monument and the location thereof, and such description and location is approved of by said board or body having control of the finances of any said municipality, such board or body may appropriate a sum sufficient to pay the cost of a pedestal and foundation for such monument.

Amount.

2. The board or body having control of the finances of such municipality, including township committees in townships, may pay the amount of such appropriation out of any moneys not otherwise appropriated, or may borrow a sum sufficient to cover the same and include such sum in the next tax levy raised in any such municipality, including townships.

3. This act shall take effect immediately.

Approved March 20, 1912.

CHAPTER 96.

An Act for the relief of George W. Stevens.

WHEREAS, George W. Stevens, a resident of the city of Newark and State of New Jersey, while a member of Company L, First Regiment, National Guard of New Jersey, was injured during an encampment at Pine Camp, New York, on June twenty-sixth, one thousand nine hundred and eight, in such a manner that he sustained a contusion of the spine, resulting in a permanent injury, which has totally incapacitated him from following his regular employment;

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

1. That there be paid to the said George W. Stevens in quarterly payments, from the treasury of this State, a pension at the rate of twenty-five 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. Pension.

2. This act shall take effect immediately.

Approved March 20, 1912.

CHAPTER 97.

An Act amending "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 possession (Revision of 1903),' approved April fourteenth, one thousand nine hundred and three," approved May first, one thousand nine hundred and eleven.

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

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

1. It shall be unlawful to capture, kill, injure or destroy or have in possession any quail, rabbit, squirrel, English ring-neck pheasant, Hungarian partridge, prairie chicken, wild turkey or partridge in any of the counties of this State excepting only between the first day of November and fifteenth day of December, both dates inclusive, under a penalty of twenty dollars for each quail, rabbit, squirrel, English ring-neck pheasant, Hungarian partridge, prairie chicken, wild turkey or partridge so captured, killed, injured, destroyed or had in possession, but nothing in this act contained shall Season for certain game. Penalty. Exception.

prevent the bringing into the State at any other time or having in possession for the purpose of exposing for sale or consumption, Belgian hares, commonly known as Canadian jack rabbits.

Repealer.

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

3. This act shall take effect immediately.

Approved March 20, 1912.

CHAPTER 98.

A Supplement to an act entitled "An act concerning townships (Revision of 1899)," approved March twenty-four, one thousand eight hundred and ninety-nine.

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

Rules, etc., in reference to operation of sewer system.

1. In any township in which sewers, or a sewer system and sewage disposal plant has been or shall be constructed, it shall be lawful for such municipality to prescribe rules, regulations, conditions and restrictions as to the connection with, operation and use of said sewers, and may fix, determine, charge and collect rentals for the use of any sewer or sewers comprising any part of such sewer system; and such rules, regulations, charges and rentals may be enforced by the governing body of such township, under such terms and penalties as have been or shall be by ordinance of such township prescribed.

Sinking fund.

2. The governing body of such township shall create a sinking fund, which, compounded on a basis of four per centum interest per annum, shall be sufficient to retire, at their maturity, all bonds, issued for sewer purposes in accordance with the provisions of this act; the

Disposition of rentals.

rentals, if any, received by such municipality for the use of said sewers, after the payment therefrom of such

amount as may be necessary for constructing, extending and maintaining such sewers during any year, and salaries, charges and incidental expenses connected with the maintenance and operation thereof, shall be applied, first, to the payment of the interest upon the bonds issued for the purpose of constructing such sewers, and next to be placed to the credit of said sinking fund, and safely invested by commissioners of the sinking fund of such municipality, if any there be, and if none, then by the legislative body, and allowed to remain as a sinking fund, to be applied to the payment of the bonds at maturity; if the amount received from rentals in any year and placed in said sinking fund shall be inadequate, then the additional sum necessary to be placed to the credit of said sinking fund shall be raised and placed to the credit of the said sinking fund by adding the amount thereof to the amount of taxes to be raised annually by the taxing authorities of said municipality.

If rentals not sufficient.

3. Bonds issued under this act shall be a lien on or charge against theproperty and revenues of such municipality, and the principal of said bonds or any interest thereon that shall not be provided for under the provisions of this act hereinabove contained, shall be raised and paid by general taxation in such municipality, and shall be known and designated as "sewer tax" and shall be proportioned, assessed and collected in the same manner and at the same time that other municipal taxes are collected by said municipality, and such sewer tax imposed by this act shall not be counted or included in any limitation as to the maximum tax rate prescribed by any law for such municipality.

Bonds a lien.

How styled.

4. This act shall take effect immediately.

Approved March 20, 1912.

CHAPTER 99.

An Act to amend an act entitled "An act to amend an act entitled 'An act to provide for the government of the police forces in cities of this State,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine, approved March fourteenth, nineteen hundred and eleven.

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:

Members of city police force.

1. In all cities of this State, the drivers and attendants of police vans and patrol wagons used in connection with the police department, also all telegraph linemen, janitors or janitrices and matrons of the police department of such city, shall be appointed by the board or body having charge of the police department therein and shall be members of the police force of such city.

Section 2 amended.

2. Section two of said act be and the same is hereby amended to read as follows:

Transferred to force hereby.

2. All such drivers, attendants, telegraph linemen, janitors or janitrices and matrons now in the employ of such city are hereby transferred to and made a part of the police force thereof without further appointment or action in addition to the number of policemen limited by law for such city.

3. This act shall take effect immediately.

Approved March 20, 1912.

CHAPTER 100.

An Act extending the time for the completion of certain water works, pipes, mains and conduits.

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

1. Whenever the time limited for the completion of any water works, or of any pipes, mains or conduits for supplying water, authorized to be constructed within this State under any general act, has expired since the first day of January, one thousand nine hundred and eleven, or shall expire hereafter, and before the thirty-first day of December, one thousand nine hundred and twelve, such time shall be and the same is hereby extended for the further period of one year from the passage of this act; *provided, however,* that this act shall not apply unless money has actually been expended in surveys or location of the route of such pipes, mains or conduits, and in the acquisition of right of way for the same, or in actual construction since January first, one thousand nine hundred and six; *and provided further,* that this act shall not apply to any corporation unless such corporation shall first, and as a condition precedent to the exercise of any power granted by this act, file within thirty days after the approval of this act, in the office of the Secretary of State, a certificate signed by the president and secretary of such corporation accepting the provisions of this act, which shall include an agreement waiving all right of exemption from taxation and from privileges and advantages arising from any law or contract, if any there be, establishing any special mode of taxation of any such corporation, and the further agreement to be bound by any general law now in existence or that may be hereafter passed, taxing such corporations as are now authorized

Time for completion extended.

Proviso.

Proviso.

Waiver of exemption.

to be taxed by the Legislature of the State under any general law, and further agreeing that the exercise of any power granted by this act shall not in any way affect the rights of this State, if any there exist, to take the property of such corporations under any existing law of this State, and agreeing further that all laws affecting such corporations shall be subject to alteration or repeal by the Legislature.

Rights of State not affected.

Certain act not affected.

2. Nothing in this act contained shall in anywise affect, alter or repeal an act entitled "An act to establish a State Water-Supply Commission and to define its powers and duties and the conditions under which waters of this State may be diverted," approved June seventeenth, one thousand nine hundred and seven, nor relieve any such corporation from the terms, provisions or requirements of the said act.

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

Approved March 20, 1912.

CHAPTER 101.

An Act to amend an act entitled "An act to promote the efficiency of fire departments in municipalities of this State other than cities of the first class," approved April eleventh, one thousand nine hundred and ten.

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:

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; *provided, however,* that no member who shall have heretofore resigned, been dismissed or retired, or who may hereafter resign, be dismissed or retired from said paid fire department and who may hereafter be reappointed or reinstated as a member of said paid fire department, 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 continuously from the date of his reappointment or reinstatement as a member of said paid fire department to the date of such promotion. Proviso.

2. This act shall take effect immediately.

Approved March 20, 1912.

CHAPTER 102.

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:*

1. Whenever a main sewer system has been constructed in any borough the cost of which or any portion of which has been assessed upon the property benefited, and in the judgment of the council the public good demands that the benefits of such main sewer or sewer system should be extended to other property lying within the borough by the building of lateral sewers or connections, the council may, by ordinance, cause such lateral sewers or connections to be constructed and such portion of the cost and expenses thereof shall be assessed upon the properties benefited as will equal the amount of the benefit actually received by such property and the excess shall be raised by general taxation. Construct lateral sewers and assess benefits.

2. Upon the introduction of any ordinance providing for the extension of any sewer system by the laying of Hearing on proposed improvement.

laterals and connections the council shall appoint a time and place for hearing objections to the passage of any such ordinance and shall cause the clerk to give public notice of such proposed improvement, briefly describing it and stating the time when and place where the council will meet to receive and consider objections thereto, which time shall be not less than ten days after the date of such notice; said notice shall be posted in five of the most public places in said borough for at least ten days prior to the time so appointed and published in a newspaper circulating in said borough at least ten days prior to the date of meeting as aforesaid; and if at the time and place so specified the owners of one-half of the property fronting on any street in which it is proposed to lay laterals and connections object thereto in writing, the council shall not pass any ordinance relating to any such street nor shall the council entertain any new ordinance relating to such street for the space of one year thereafter, but in case said ordinance contemplates the laying of laterals and connections in more than one street, the council may amend the ordinance and eliminate from its provisions such streets as may have been thus objected to and proceed with the adoption of the ordinance for the remaining streets.

Notice.

Objections regarded.

As to cost.

3. Whenever the aggregate cost of such laterals and connections to be laid in any one year shall exceed in value the sum of ten thousand dollars the council shall not proceed under the provisions of this supplement to lay the same until a proposition for the issue of bonds to pay the cost thereof shall have been submitted to the voters of such borough and carried by the majority of the legal votes cast at such election; but in all other cases the council may proceed with the improvement and issue improvement certificates therefor in accordance with the provisions of section forty-four of the act to which this is a supplement.

Repealer.

4. The act entitled "A supplement to an act entitled 'A general act relating to boroughs' (Revision of 1897)," approved April nineteenth, one thousand nine hundred and nine, be and the same is hereby repealed.

5. This act shall take effect immediately.

Approved March 20, 1912.

CHAPTER 103.

A Further Supplement to an act entitled "An act for the maintenance of bastard children" (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:*

Bonds recorded in county clerk's office.

1. All bonds entered into for the appearance of the party charged before the magistrate or court on any bastardy proceedings, or on appeal therefrom, or for the performance of any order of filiation, shall be recorded in the clerk's office of the county in which the proceedings are pending, and upon being so recorded, shall have the force and effect of a recognizance; copies of said bonds duly certified by said clerks under seal of office shall be received as evidence in any court of this State, and be as good and available in law as if the original bonds were then and there produced and proved.

Copies in evidence.

Fees prepaid.

2. It shall be the duty of the magistrate or court by whom any such bond shall be taken, to cause the same to be forthwith recorded as above provided, and to require the party offering the same to pay the legal fees for recording the same before accepting such bond.

Discharge of bond.

3. Upon satisfactory proof before any court in which the suit or proceedings wherein the said bond has been taken are pending, that the conditions of said bond have been fully complied with, it shall be the duty of said court to order that the said bonds shall be discharged of record, and thereupon the same shall be discharged in the book kept by the said county clerk for recording the same.

Effect of this law.

4. The provisions of this act are hereby extended to all such bonds heretofore taken and now in force.

5. This act shall take effect immediately.

Approved March 20, 1912.

CHAPTER 104.

An Act for the establishment of county mosquito extermination commissions and to define their powers and duties.

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

Judge of supreme court to appoint commission.

1. In any county of this State it shall be the duty of the justice of the Supreme Court presiding over the courts of said county to appoint six persons, three of whom must be persons who are or have been members or employes of boards of health. A board of commissioners to be known as "The County Mosquito Extermination Commission," inserting the name of the county in and for which the commissioners are appointed. The commissioners first appointed under the provisions of this act in any county shall hold office respectively for the term of one, two and three years, as indicated and fixed in the order of appointment, and all such commissioners, after the first appointment, shall be so appointed for the full term of three years; vacancies in the said commission occuring by resignation or otherwise shall be filled by such justice, and the persons appointed to fill such vacancies shall be appointed for the unexpired term only; such persons so appointed, when duly qualified, constituting such commission and their successors are hereby created a body politic, with power to sue and be sued, to use a common seal and make by-laws; the members of any such commission shall serve without compensation, except that the necessary expenses of each commissioner for actual attendance on meetings of said commission shall be allowed and paid. No persons employed by the said commission shall be a member thereof; before entering upon the duties of his office each commissioner shall take and subscribe an oath or affirmation before the clerk of the

Official name.

Terms.

Vacancies.

Expenses paid.

Oath.

county in and for which he is appointed to faithfully and impartially perform the duties of his office, which oath or affirmation shall be filed with the clerk of the county wherein the commission of which he is a member is appointed; every such commission shall annually choose from among its members a president and treasurer, and appoint a clerk or secretary and 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 employes, and make all rules and regulations respecting the same. It shall be the duty of the board of chosen freeholders in each county to provide such commission with a suitable office where its maps, plans, documents, records and accounts shall be kept, subject to public inspection at such times and under such reasonable regulations as the commission may determine.

Organization.

Office.

2. The director of the State Experiment Station shall be a member ex officio of each commission and shall co-operate with them for the effective carrying out of their plans and work. The said director shall serve without compensation, except that the necessary expenses actually incurred by him in the attendance on meetings of said commissions shall be allowed and paid. He shall furnish the said commissions with such surveys, maps, information and advice as they may require for the prosecution of their work, or, as in his opinion, will be of advantage in connection therewith.

Duty of director of experiment station.

3. Every such commission shall have the power to eliminate all breeding places of mosquitoes within the county wherein it is appointed, and to do and perform all acts and to carry out all plans which in their opinion and judgment may be necessary or proper for the elimination of breeding places of mosquitoes, or which will tend to exterminate mosquitoes within said county.

Powers.

4. Said commission shall, on or before the first day of April in each and every year, file with the director of the State Experiment Station a detailed estimate of the moneys required for the ensuing year, and a plan of the work to be done and the methods to be employed. The said director shall have the power to approve, modify or alter the said estimates, plans and methods, and the

Annual estimate.

estimate, plan and method finally approved by him shall be by him forwarded to the board of chosen freeholders in each county on or before the first day of May following its receipt.

Appropriation.

5. It shall be the duty of the board of chosen freeholders of each county, or other body having control of the finances thereof, to include the amount of money approved by the director of the State Experiment Station, annually in the tax levy; *provided, however,* that in no year shall the amount so raised exceed the amount hereinafter specified, to wit, in counties where the assessed valuations are not more than twenty-five million dollars, a sum not greater than one mill on every dollar of assessed valuations; in counties where the assessed valuations are not more than fifty million dollars a sum not more than one-half of one mill on every dollar of assessed valuations; in counties in which the assessed valuations are in excess of fifty million dollars a sum not more than one-quarter of one mill on every dollar of assessed valuations.

Proviso; amount raised annually.

Payments.

6. The moneys so raised, or so much thereof as may be required, shall be paid from time to time to the said mosquito commission on the requisition of said commission, duly signed and approved by the president and secretary thereof.

Annual report.

7. It shall be the duty of each commission annually, on or before the first day of November in each year, to submit to the director of the State Experiment Station and to the board of chosen freeholders in their respective counties a report setting forth the amount of moneys expended during the previous year, the methods employed, the work accomplished and any other information which in their judgment may seem pertinent.

Act considered supplementary.

8. Nothing in this act shall be construed to alter, amend, modify or repeal the provisions of chapter 134 of the laws of 1906, or alter, amend, modify or repeal any act now existing conferring upon State or local boards of health any powers or duties in connection with the extermination of mosquitoes in said State, but shall be construed to be supplementary thereto.

9. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 105.

A Supplement to an act entitled, "An act to compel the determination of claims to real estate in certain cases, and to quiet the title to the same," approved March second, one thousand eight hundred and seventy.

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

Service of process in case of absent defendants.

1. In case of a bill filed in accordance with the provisions of the act to which this act is a supplement against any defendant against whom a subpœna or other process shall issue, and such defendant shall not cause his appearance to be entered in such suit, as according to the practice of said court the same ought to be entered, in case such process has been duly served, and it shall be made to appear, by affidavit or otherwise, to the satisfaction of the Chancellor, that such defendant is out of the State, or cannot, upon due inquiry, be found therein, or that he conceals himself within this State, or that none of the officers or directors of a defendant corporation of this State is resident in this State or can be found therein to be served with process, every such defendant shall be deemed and taken to be an absent defendant, and thereupon the Chancellor may, by order, direct such absent defendant to appear and plead, answer or demur to the complainant's bill or petition, at a certain day therein to be named, not less than one nor more than three months from the date of such order, and thereupon the same proceedings shall be taken against said absent defendant as is provided by law in other suits brought in the Court of Chancery, and any defendant upon whom notice of such order is served as provided by law shall be bound by the decree in said suit as if he were served with process in the State as is provided by law in relation to other suits in Chancery.

Procedure in cases of missing defendants.

2. In all suits hereafter commenced in the Court of Chancery under the provisions of the act to which this

act is a supplement, whenever it shall appear by the allegations of the bill or petition, duly verified by affidavit thereto annexed, that any person mentioned in the bill of complaint, or his heirs, devisees or personal representatives, are proper parties defendant to said bill of complaint; and that the complainant after diligent and careful inquiry therefor, made as in case of absent defendants, has been unable to ascertain whether such person is still alive, or if he is known or believed to be dead, has been unable to ascertain the names and residences of his heirs, devisees or personal representatives, or such of them as may be proper parties defendant as aforesaid, such action may proceed against such person by name, and his heirs, devisees and personal representatives, as in the case of absent defendants whose names are known; and such notice as is required by law to be published against absent defendants in default of personal service, addressed to such person by name, and to "his heirs, devisees and personal representatives," and containing such further statements and giving such further time as the Chancellor may by his order direct, shall be first published and mailed in such manner as the Chancellor may, by his order in said action, direct; and in case such person or his heirs, devisees or personal represenatives, shall not appear, plead, answer or demur within the time limited in said notice, or further allowed by the Chancellor, if he shall think proper, on proof to the satisfaction of the Chancellor of mailing and publication of said notice as directed, such action may proceed in all respects as if such person, or his heirs, devisees or personal representatives had been duly named and described and served with process of subpœna in said action, and had failed to plead, answer or demur within the time thereto allowed by law; and such defendants, and all persons falling within the description of "heirs, devisees or personal representatives" of the defendant supposed to be dead as aforesaid, shall thereupon be bound by all orders and decrees in said cause as if they had been duly named and described and served with process in this State, and proofs may be made, costs allowed, security ordered and proceedings for

Notice.

If no appearance, proceedings.

All persons concerned bound by decrees.

restitution or other relief from said decrees and orders had in like manner as the same are allowed by law in the case of absent defendants.

3. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 106.

An Act to authorize the erection and equipment of an armory at New Brunswick, New Jersey, according to the provisions of an act entitled "An act to provide for the erection and equipment of armories in counties of the second class in this State, and making appropriations therefor," approved April twenty-seventh, one thousand nine hundred and eleven, the amendments thereof and supplements thereto.

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

Armory in New Brunswick.

1. Whenever the board of freeholders of the county of Middlesex shall certify to the State Military Board that there has been acquired and conveyed to the State of New Jersey a tract of land suitable for the erection of an armory, which land shall have been approved by the State Military Board, and the title thereto approved by the Attorney General, as provided by the act entitled "An act to provide for the erection and equipment of armories in counties of the second class in this State, and making appropriations therefor," approved April twenty-seventh, one thousand nine hundred and eleven, the amendments thereof and supplements thereto, the State Military Board is authorized to proceed to the erection and equipment of said armory according to the provisions of the said act.

Appropriation.

2. The sum of twenty-five thousand dollars is hereby appropriated for such purpose, to be expended in accordance with paragraph six of the said act, when included in any annual or supplemental appropriation bill.

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 21, 1912.

CHAPTER 107.

A Supplement to an act entitled "An act to provide for the erection and equipment of armories in counties of the second class and making appropriation therefor," approved April twenty-seventh, one thousand nine hundred and eleven.

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

Freeholders may acquire land for armory.

1. In addition to the provision of paragraph one of the act to which this act is a supplement, it shall be lawful for the board of chosen freeholders of any county of the second class of this State wherein there is or has been located, for thirty years last past, a company or companies of the National Guard of New Jersey, to acquire by purchase or condemnation lands approved by the State Military Board, suitable and appropriate for the erection thereon of an armory, and when so acquired said lands may be dedicated and conveyed to the State of New Jersey for said purpose. In event of condemnation, proceedings shall be according to the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900)," approved March twentieth, one thousand nine hundred, and the amendments thereof and supplements thereto.

Bond issue.

Amount.

Rate.

2. It shall be lawful for said board of chosen freeholders to issue bonds in an amount sufficient to purchase said lands not exceeding twenty thousand dollars, which bonds shall bear interest not exceeding five per centum per annum, and payable at such time as the

said board of chosen freeholders shall determine, and to advertise for proposals to sell the said bonds to the highest bidder, for an amount not less than the par value thereof.

3. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 108.

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

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

Armory for Signal Corps.

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 Jersey City for the erection of an armory for the use of the Signal Corps Company, of the National Guard of the State of New Jersey, and to cause an armory to be erected thereon for the use of said Signal Corps Company, 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 rifle practice, and with all necessary suitable electrical and other equipment necessary for the use of said Signal Corps Company, and with all other 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 land and erecting and equipping such armory as aforesaid.

Proviso; limit to expenditure.

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 said 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.

Plans, etc.

3. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 109.

An Act to amend an act entitled "An act respecting the Orphans' Court, and relating to the powers and duties of the ordinary, and the Orphans' Courts and surrogates (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:*

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

Section 24 amended.

Copy of foreign wills duly recorded valid.

24. A copy of any will or of the record of any will of a decedent not resident in this State at the time of his death, admitted to probate in any State or Territory of the United States or the District of Columbia, or in any foreign State or kingdom, and of the certificate, order or decree of probate thereof or of the letters granted or the record of the grant of letters, exemplified and authenticated according to the act of Congress, if it be the record of any State or Territory of the United States or the District of Columbia, or certified in the manner required by the laws of the foreign State or kingdom in which such will shall have been proved and recorded to make it legal evidence in such foreign State or kingdom if it be the record of a foreign State or kingdom, heretofore or hereafter filed and recorded in the office of the surrogate of any county in this State, shall, if it thereby appears that said will was executed in accordance with the laws of this State, have the same force and effect in respect to all lands and real estate whereof the testator died seized, as if said will had been admitted to probate and letters testamentary or of administration with the will annexed thereon had been issued in this State; and all conveyances of such real estate heretofore or hereafter made by any executor or executors, or administrator or administrators with the will annexed, trustee or trustees, or the survivor or survivors of them, or by any devisee or devisees, or persons claiming under such devisees, shall be as valid as if said will had been admitted to probate and letters testamentary or of administration with the will annexed had been issued in this State; and such record or certified copies of said will, proofs, order for probate or letters, or of the record thereof, shall be received in evidence in all courts of this State.

Conveyances validated.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 110.

An Act to amend 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:*

Section 39 amended.

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

Acknowledgment by feme covert.

39. No estate or interest of a feme covert in any lands, tenements or hereditaments, lying and being in this State, shall hereafter pass by her deed or conveyance, without a previous acknowledgment made by her on a private examination, apart from her husband, before one of the officers mentioned in the twenty-second, twenty-third and twenty-fourth sections of this act, as the case may be, that she signed, sealed and delivered the same as her voluntary act and deed, freely, without any fear, threats or compulsion of her husband, and a certificate thereof written on, or under, or annexed to the said deed or conveyance, and signed by the officer before whom it was made; and further, every deed or conveyance, heretofore or hereafter so executed and acknowledged, by a feme covert, and certified as aforesaid, shall release and bar her right of dower, and every deed or instrument of the nature or description set forth in the twenty-first section of this act, heretofore or hereafter executed by her and so acknowledged and certified as aforesaid, shall be good and effectual to convey or affect the lands, tenements or hereditaments, or other property, or her interest therein, thereby intended to be conveyed or affected;

Such acknowledgment bar to dower.

Proviso.

Provided, that this clause shall not be construed to enable any feme covert under the age of twenty-one

years to convey or affect her lands, tenements or hereditaments, or other property, or any right of dower, interest, or estate therein;

And provided further, that this clause shall not apply to assignments or releases of mortgages by married women, of mortgages held by them in their own right, and that any assignments or releases of mortgages heretofore or hereafter made by any married woman of any mortgage or mortgages held by her in her own right, shall be valid, and the record thereof for the purpose of notice shall be valid and effectual, notwithstanding the acknowledgment thereof shall not have been certified in the manner required by this section, if the same shall have been or shall be acknowledged in the same manner as if she were a feme sole. Proviso.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 111.

An Act to validate certain deeds and mortgages heretofore made by corporations de facto.

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

1. No deed of conveyance or mortgage heretofore made or purporting to have been made by any corporation, purporting to be a corporation under the laws of this State, and not now in existence and no longer exercising the powers of a corporation, for or upon any lands, tenements or hereditaments situate in this State, which shall have been recorded prior to the first day of January, one thousand nine hundred and twelve, shall be invalid because of the fact that the certificate of incorporation of such corporation was not filed in the office of the Secretary of State of Deeds and mortgages given by corporations which have not filed certificate with Secretary of State validated.

this State, provided such certificate of incorporation has been recorded in the office of the clerk of the county where the principal place of business of such corporation is located; but every such deed of conveyance or mortgage shall be valid and effectual in law as if the certificate of incorporation of such corporation had been duly filed in the office of the Secretary of State of this State, provided that such deed or mortgage shall have been taken in good faith and for a valuable consideration.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 112.

An Act to provide who shall act as mayor in case of the death, resignation, disqualification, or other disability, of the mayor of any city, heretofore or hereafter occurring.

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

Acting mayor.

1. In the event of the death, resignation, disqualification, or other disability, of the mayor of any city, the president of the board of aldermen or common council shall act as mayor until the next general election; shall be known as acting mayor; shall have all the powers and privileges; be entitled to the same salary, and be chargeable with the same duties and obligations as the mayor of such city; *provided, however,* this act shall not affect any proceedings already instituted nor any act heretofore signed by any officer as acting mayor.

Proviso.

Repealer.

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

Approved March 20, 1912.

CHAPTER 113.

A Supplement to an act entitled "An act to regulate the issuing of bonds by municipal corporations," approved March twenty-sixth, one thousand eight hundred and eighty-six.

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

Failure to pay interest during litigation not deemed default.

1. The failure of a municipal corporation to pay principal or interest of any bonds or other obligations issued by it shall not be deemed to be a default within the provisions of the act to which this is a supplement, so long as the validity of such bonds or obligations is contested by such municipal corporation in litigation actually pending in the courts of New Jersey.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 114.

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.

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

Section 3 amended.

1. Section three of an act entitled "An act concerning disorderly persons" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, is hereby amended to read as follows:

Loitering or making offensive remarks disorderly conduct.

Any person or persons who shall loiter or assemble on the streets, at the corners of the streets, or in the public places of any city, village, borough, town, or

township of this State, being under the influence of intoxicating liquor and any person or persons who shall on such streets, at the corners of such streets, or in such public places, or any railroad train, trolley car or other public conveyances within any city, village, borough, town or township of this State, indulge in and utter loud and offensive or indecent language, or shall address or make audible and offensive remarks or comments upon any person passing along such streets or public places, or in any such railroad train, trolley car or other public conveyances, or shall obstruct or interfere with any person or persons lawfully being in and upon such streets or public places or such train, trolley car or other public conveyances, shall be deemed and adjudged to be a disorderly person.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 115.

A Supplement to an act entitled "An act concerning railroads" (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:*

Secretary of State to issue railroad passes to State officials entitled to them.

1. The Secretary of State shall issue a certificate in card form, under the seal of the State of New Jersey, to each and every person entitled to pass and re-pass free of charge over all railroads now or hereafter to be operated in this State, certifying the title of such person's office and that the said person is entitled to pass and re-pass free of charge over all railroads now or hereafter to be operated in this State, and the date of expiration of the term of office of such person, which shall be issued to each person at the beginning of the term of office or appointment, and that the Secretary of State shall at the same time, provide and mail to

each and every railroad company in the State of New Jersey, a list or lists of each and every person to whom such certificates have been issued, within forty-eight hours after the issuance thereof, and each certificate shall bear the date of issue, and the signature of the person to whom the same is issued shall appear on the back of said certificate.

2. Said certificates shall be produced or shown on request to the conductor or person in charge of the train on which said person shall ride over any railroad in said State, and shall entitle the person to whom the same is issued to pass and re-pass without payment of fare, over any and all railroads in the State of New Jersey, within the borders of said State.

3. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 116.

An Act to repeal an act entitled "An act concerning trespassing on private lands," approved June fourteenth, one thousand eight hundred and ninety-eight, as amended by an act approved April eighth, one thousand nine hundred and three, as amended by an act 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. The act entitled "An act concerning trespassing on private lands," approved June fourteenth, one thousand eight hundred and ninety-eight, as amended by an act approved April eighth, one thousand nine hundred and three, as amended by an act approved April thirteenth, one thousand nine hundred and eight, is hereby repealed. Act repealed.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 117.

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:*

Section 45 amended.

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

Department of labor.

45. For the purpose of carrying into effect and enforcing the provisions of this act, there shall be and hereby is established a department to be known as the Department of Labor; the department shall have its

Consists of.

main office in Trenton, and shall consist of a commissioner, an assistant commissioner and eleven inspectors; the Governor shall, immediately after the passage of this act, with the advice and consent of the Senate, appoint some suitable person, who shall be a resident

Commissioner and assistants; their salaries.

and citizen of this State, as head of the said department, at a salary of six thousand dollars per year, to be paid monthly, whose term of office shall be three years and until his successor is appointed, and whose title shall be

Inspectors.

Commissioner of Labor; the commissioner shall, with the approval of the Governor, appoint the assistant commissioner who shall be an architect, engineer or mechanic, he shall receive a salary of three thousand dollars per year, to be paid monthly; the Governor shall appoint eleven suitable persons as inspectors, two

of whom shall be women, whose salary shall be one thousand five hundred dollars per year each, to be paid monthly; the terms of office of the assistant and the inspectors shall be three years unless sooner removed by the commissioner; the assistant and the inspectors shall each be furnished with certificates of authority by the Secretary of State, and they shall produce the same if so required by any manufacturer; the commissioner shall have the power, out of the appropriation made for the purpose of carrying on the work of the department, to purchase badges for the assistant, the inspectors and himself, the commissioner may divide the State into districts, assign inspectors to such districts, and may, in his discretion, transfer them from one district to another; the commissioner, assistant and inspectors may administer oaths and take affidavits in matters relating to the enforcement of this act; the commissioner shall have the right to employ such department clerks for carrying on the work of the department as may, in his judgment, be necessary; such clerks shall receive such salaries as the commissioner, with the approval of the Governor, shall fix, to be paid by the Treasurer on warrant of the Comptroller in equal monthly installments; when the work of the department shall necessitate the employment of additional inspectors, the commissioner shall have the power to employ such inspectors at such compensation and for such length of time as he may deem necessary, and such extra inspectors shall have the same rights, powers and privileges as the inspectors appointed by the Governor; all salaries and expenses incurred by the commissioner, assistant and all inspectors, in the discharge of their duties, and all salaries and expenses necessary to carry out the provisions of this act, shall be paid from the funds of the State, out of the moneys appropriated for that purpose, by the Treasurer, upon warrant of the Comptroller, upon presentation of proper vouchers for the same, approved by the commissioner; it shall be the duty of the commissioner to enforce the provisions of this act and to exercise supervision and control over the assistant and the inspectors, and to cause inspections

Certificate of authority.

State divided.

Clerical help.

Extra help.

Duties.

to be made of the factories, mills, workshops, and places where the manufacture of goods of any kind is carried on, by the assistant and the inspectors, as often as practicable, and to make a report of the work of the department to the Governor of the State on or before the thirty-first day of October in each year; to prosecute violations of the provisions of this act in any district court, recorders' courts of cities and before any justice of the peace having due jurisdiction, or in any other court of competent jurisdiction in this State; the commissioner, the assistant commissioner and the inspectors shall have the right at all reasonable hours to enter and inspect factories, mills, workshops and places where the manufacture of goods of any kind is carried on, and each inspector shall make a report in writing of such inspections to the commissioner at least once in each week; inspectors shall make out a list of minors discharged, with the name of child in full, residence, street and number, name of place from which such minor was discharged and date of discharge; he shall send or deliver within twenty-four hours, such list to the principal of the public school in the district where the minor resides, or to the truant officer having such school district in charge; every deputy inspector shall devote at least eight hours of every working day except public holidays, and four hours on Saturdays, to the discharge of his or her duties as such deputy inspector, unless prevented by illness or other disability, and no deputy inspector shall engage in any business, occupation or employment during his or her term of office that will in any way interfere with or prevent the full and faithful performance of such duties.

Annual report.

Right to enter to inspect.

Inspector's list furnished school authorities.

Hours of service.

Outside employment.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 118.

An Act to authorize the Board of Fish and Game Commissioners to acquire, by condemnation or otherwise, land in this State to be used for the propagation of fish and game.

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

Additional land for hatcheries and game farms.

1. The Board of Fish and Game Commissioners of this State are hereby authorized to acquire by gift, grant, purchase, condemnation, or in any other lawful manner, in the name of the State and for its use, so much land in this State as may in their judgment be necessary for the purposes of artificial propagation of food or game fish, and game birds and animals, for restocking the public waters and lands of this State, and the lands purchased or condemned shall be adjacent to the lands already selected for a fish hatchery and game farm, located in Warren and Ocean counties, and in no case shall the amount expended in such purchase or condemnation exceed the sum of five thousand dollars.

Amount allowed.

Proceedings.

2. When such land is acquired by condemnation, the proceedings shall in all respects be in conformity with the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use Revision of 1900," approved March twentieth, one thousand nine hundred, and the acts amendatory thereof and supplemental thereto.

3. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 119.

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

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

Tenure of superintendents and employes.

1. The county superintendents and municipal superintendents of weights and measures appointed by the governing body of the respective counties or the governing body of any municipality or other governing bodies shall hold their office during good behavior, and shall not be removed, discharged or reduced in pay or position except for inefficiency, incapacity, conduct unbecomiing an employe or other just cause, and until the said officials shall have been furnished with the written statements 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 governing board or body of such county or municipality appointing the said superintendent or superintendents at a hearing, upon reasonable notice to the person charged, at which time he may be represented by counsel and offer testimony or witnesses or any other evidence in his own behalf.

Hearing on charges preferred.

Repealer.

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

Approved March 21, 1912.

CHAPTER 120.

An Act to amend an act entitled "An act relating to Arbor Day," 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 the act to which this is an amendment be and the same is amended to read as follows: Section 1 amended.

1. For the purpose of encouraging the planting of shade and forest trees, the second Friday of April in each year is hereby designated as a day for the general observance of such purpose, and to be known as Arbor Day. Arbor Day.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 121.

An Act to provide funds to be used for opening, widening and vacating streets and highways in cities of the first class in this State.

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 body having control and management of the finances of cities of the first class in this State, in their discretion, at the request of the board or body having the control and management of streets and highways in such city, to provide funds for the opening, widening Provide funds for opening streets.

and vacating of streets and highways therein, and to place from time to time, such sum or sums as may be necessary for such purposes at the disposal of the board or body having the control and management of streets and highways, to be used by such board or body for the opening, widening or vacating of any particular street or streets, or parts thereof, under the conditions and limitations hereinafter specified.

Estimate of needs presented to council.

2. Whenever the board or body having the control and management of streets and highways in such city shall, by resolution, determine upon the amount of money necessary or desirable for a fund for the purpose of opening, widening or vacating any particular street or streets at that time, they shall prepare and present to the common council or other body having control of the finances of such city, a certificate setting forth the amount of money which, in the judgment of said board or body, is necessary for the opening, widening or vacating of the particular street or streets, which said board or body, at that time, proposes to open widen or vacate, together with the facts, estimates and information upon which said such judgment is based, and the said common council, or body having the control of the finances of the city in its discretion may, thereupon, by resolution, appropriate to the said board or body having the control and management of the streets and highways of such city, such amount of money, to be used for such purposes by said board or body.

Appropriation.

Temporary loan bonds issued.

3. In order to provide the money necessary and required for such opening, widening or vacating, and appropriated from time to time for such purposes, the common council, or other board or body having control of the finances of such city, shall issue, or cause to be issued, from time to time, as may be necessary, the temporary loan bonds or certificates of the city, bearing interest at a rate not to exceed five per centum per annum, which temporary loan bonds or certificates may be renewed from time to time until the assessments for benefits for such improvements are paid; *provided,* that the amount of temporary loan bonds or certificates

Rate.

Proviso.

issued under the authority of this act shall not exceed in total amount one million dollars in any one year. Should the total cost of opening, widening or vacating any street exceed the amount of money appropriated therefor in the first instance as provided in section two of this act, the said common council, or other board or body having control of the finances of such city, shall appropriate such excess cost over the first appropriation to the board or body having control of the streets and highways, upon their requisition, and provide for the same by the issue of temporary loan bonds or certificates as hereinbefore in this section provided.

If cost exceeds money provided.

4. And all assessments for benefits conferred by such improvements and all interest thereon and penalties, when collected, shall be credited to the temporary loan bonds or certificates issued on account thereof, and as collected and received shall be used to pay off and retire such temporary loan bonds or certificates, and for no other purpose whatsoever.

Assessments credited to loan.

5. All assessments for benefits for such street openings, widenings, vacations, and all interest and penalties thereon imposed, shall be a first lien upon the lands and real estate especially benefited thereby in conformity with the provisions of the existing law in force in said city with respect thereto, and shall in all things be assessed, imposed, levied and collected in accordance with such existing law.

Assessments a lien.

6. Such city may issue, from time to time, permanent bonds, either registered or coupon, or both, negotiable in form, to run for a period of not less than twenty nor more than forty years, and to bear interest not exceeding the rate of five per centum per annum, and of such form as the common council or other board or body having control of the finances shall determine, for the purpose of raising money to take up, pay and retire so much and such part of the temporary loan bonds or certificates issued for the cost of any particular improvement or improvements, as will not be provided for by assessments for benefits assessed and imposed for such improvement or improvements, and also to provide for the payment of any part of the costs of

Permanent bond issue.

Time.

Rate.

any such improvement or improvements that may be assessed upon the city at large. The common council or other board or body having control of the finances of such city shall provide each year in the tax levy for the payment of the interest falling due in that year upon any temporary loan bonds or certificates or permanent bonds so issued, and shall also provide for a sinking fund sufficient to meet and pay all permanent bonds issued under the provisions of this act at maturity.

Provision for interest and redemption.

Act how construed.

7. This act shall not be construed to repeal, modify, supersede or take the place of any law or laws now in force, providing for a capital fund or funds for the opening, widening, vacating or otherwise improving of streets and highways, but is intended to be in addition thereto, and not to prevent or interfere with the raising or providing of capital fund or funds for street improvements and the making of street improvements under any law or laws now in force as well as under the provisions of this act.

Repealer.

8. All acts and parts of acts, general or special, inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 122.

An Act to amend an act entitled "An act to prevent deception in the sale of oleomargarine, butterine or any imitation of dairy products, and to preserve the public health," approved March twenty-second, eighteen hundred and eighty-six.

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

Section 10 amended.

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

Courts empowered to hear and determine cases.

10. Every District Court in any city or judicial district and every justice of the peace in any county, and any recorder in any city, is hereby empowered on oath or affirmation made acording to law that any person or persons has or have violated any provision of this act, to issue process at the suit of the Board of Health of the State of New Jersey, as plaintiff for the use of the State of New Jersey, or at the suit of the board of health of any municipality in which such offense is alleged to have been committed, for the use of such municipality. Such process shall be either in the nature of a summons or a warrant against the person or persons so charged, which process shall, when in the nature of a warrant be returnable, forthwith, and when in the nature of a summons shall be returnable in not less than one or more than ten entire days; such process shall state what provision of the law is alleged to have been violated by the defendant or defendants, and on the return of such process, or at any time to which the trial shall have been adjourned, the said court, justice of the peace or recorder shall proceed to hear testimony and to determine and give judgment in the matter without the filing of any pleadings for the plaintiff, for the recovery of such penalty with costs, or for the defendant; and the said court, justice of the peace or recorder shall, if judgment be rendered for the plaintiff, forthwith issue execution against the goods and chattels and person of the defendant or defendants; and the said court, justice of the peace or recorder is further empowered to cause any such defendant who may refuse or neglect to pay the amount of the judgment rendered against him, and all the costs and charges incident thereto, unless an appeal is granted, to be committed to the county jail for any period not exceeding ninety days.

Process.

Hearing.

May issue execution against goods and chattels.

Section 13 amended.

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

Taking appeal from judgment.

13. Either the complainant or defendant, if dissatisfied with any judgment given under the provisions of this act may appeal to the Court of General Quarter Sessions of the Peace of the county in which the judg-

ment appealed from shall have been rendered, which appeal shall be taken by filing with the court, justice of the peace, or recorder who gave the judgment, a notice of such appeal in writing signed by the appealing party or his attorney within ten days after the rendering of such judgment; *provided, however,* that no appeal shall be allowed to or taken by any defendant from any judgment against any such defendant unless with such notice of appeal such defendant shall also file a bond with at least one sufficient surety, to be approved by the court, justice of the peace or recorder, who shall have given the judgment, in double the amount of the judgment on condition that the appellant shall appear and prosecute the appeal in said Court of General Quarter Sessions of the Peace and shall stand to and abide the judgment of said Court of General Quarter Sessions of the Peace and shall pay such costs as shall be taxed against the appellant or appellants if the judgment appealed from be affirmed. Such bond shall be made to the plaintiff as obligee.

Proviso.

Bond filed.

Section 14 amended.

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

Fines paid into State treasury.

14. All penalties imposed under this act shall be, immediately on receipt, paid into the treasury of this State by the Board of Health of the State of New Jersey when such penalties have been collected by said board, or into the treasury of the municipality when such penalties have been collected by the board of health of any municipality of this State.

Section 17 amended.

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

Right of entry into places of business.

17. That the members of the State Board of Health and all chemists, inspectors or other employees employed by said board shall have full and free access, ingress and egrees to all places of business, factories, farms, buildings, hotels, restaurants, boarding-houses, vehicles, automobiles, cars, vessels and cans used in the manufacture and sale of any dairy products, or any imitation thereof; they shall also have the power to

open any package, can or vessel containing such articles which may be manufactured, sold or exposed for sale in violation of the provisions of this act, if they have reason to believe it is being violated, and may inspect the contents therein, and may take therefrom samples for analysis. The members of the local board of health of any municipality, all chemists, inspectors and employees employed by said board shall have like power of entry, inspection and taking of samples within the limits of the territorial jurisdiction of such local board of health. No person shall obstruct or in any wise interfere with any member or employee of the State Board of Health or of a local board of health in the performance of any duty under this act.

Open packages.

Rights of local boards of health.

5. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 123.

An Act to abolish certain offices in townships wherein there now or hereafter may exist any village, which has adopted the provisions of an act of the Legislature of the State of New Jersey, entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven, the boundaries or territorial limits of which are co-extensive with those of said township and providing for the appointment by the governing body of such village, officers to perform the duties of such offices so abolished and fix their compensation.

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

1. In any township in this State wherein there now or hereafter may exist any village, which has adopted

Certain township offices abolished.

the provisions of an act of the Legislature of the State of New Jersey, entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven, the boundaries or territorial limits of which are co-extensive with those of said township, after excepting or excluding such portions of said township as may be included in the territorial limits of any borough or boroughs, the offices of township clerk, assessor and collector are hereby abolished.

Clerk to turn over records.

2. The clerk of such township shall forthwith turn over to the clerk of such village, all books, papers, vouchers and assets of such township being in his hands as such clerk, and said village clerk shall hereafter perform all the duties of the office of such township clerk.

Village assessor.

3. The governing body of such village is hereby authorized and empowered to appoint a village assessor, who is hereby invested with all the powers and duties conferred upon or required of such township assessor.

Village collector.

4. The governing body of such village is hereby authorized and empowered to appoint a collector for said village and that such collector is hereby invested with all the powers, duties, privileges and liabilities by law conferred upon or required by such township collector, and that the collector of such township shall immediately, on the appointment of said village collector, deliver to said village collector all books, papers, vouchers, moneys and assets of such township and of such village in his hands as such collector.

Salary of assessor and collector.

5. The governing body of such village are hereby authorized and empowered, by ordinance or resolution, to fix the salary of such village assessor and village collector which salary so fixed shall not increase or diminish during the term of office of such assessor or collector.

6. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 124.

A Supplement to an act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven.

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

Fund for publicity.

1. It shall be lawful for the board of commissioners of any city in this State, which has heretofore or which shall hereafter adopt the provisions of the act to which this is a supplement, to include in the moneys to be raised by taxation a sum, not to exceed five thousand dollars ($5,000) in any one year, which shall be used in the discretion of said board of commissioners for advertising the advantages of said municipality, and for preparing, maintaining and displaying an exhibition or exhibitions of the products and industries of said city for the purpose of increasing its population and trade, and for decorating the streets and public buildings and places in said municipality.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 125.

A Supplement to an act entitled, "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven.

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

Delegates to represent city at certain gatherings.

1. It shall be lawful for the board of commissioners of any city in this State, which has heretofore or which shall hereafter adopt the provisions of the act to which this is a supplement, to select one or more, not exceeding five (5), citizens of said municipality as delegates to represent said municipality at any industrial, commercial or civic assembly or convention, non-political in character, at which, in the opinion of said board of commissioners, said municipality should be represented.

Expenses.

2. The expenses of said representatives shall, upon approval by said board of commissioners, be borne and paid by the municipality.

Repealer.

3. All acts and parts of acts inconsistent with this act be and the same are hereby repealed.

4. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 126.

An Act to amend an act entitled "An act relative to the sale and distribution of the real estates of infants," approved March twenty-seventh, one thousand eight hundred and seventy-four.

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

Section 1 amended.

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

Infant having land to be sold by Chancery considered a ward.

1. Whenever an infant shall be seized of any lands or tenements, or be entitled to any term to come in any lands in this State, or shall be entitled to the said property by virtue of a deed of trust wherein no power of sale is reserved to the trustee and it shall be represented to the Chancellor on behalf of said infant, by his or her guardian or next friend, that his or her interest requires that the said lands or term should be sold or disposed of, the Chancellor may, in a summary manner, proceed to inquire into the merits of the application; and from such time the infant shall, so far forth as relates to such property, its proceeds and income, be considered a ward of the Court of Chancery.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 127.

An Act regulating the age, employment, safety, health and work hours of persons, employes and operatives in places where biscuits, pies, bread, crackers, cakes, macaroni and other food stuffs, confectionery, candy, ice cream or frozen sweets are manufactured or made for the purpose of sale, and providing for the sanitation, sanitary condition and licensing of such places.

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

Sanitation of bakeries, etc.

1. All buildings or rooms where biscuits, pies, bread, crackers, cakes, macaroni and other food stuffs, confectionery, candy, ice cream or frozen sweets are manufactured or made for the purpose of sale, shall be drained and plumbed in a manner that will conduce to the proper and healthful sanitary condition thereof and shall have air shafts, windows or ventilating pipes sufficient to insure ventilation and sufficient light to prevent any place being operated entirely by artificial light, and all doors, windows and other openings shall be thoroughly screened so as to prevent the entrance of flies or other insects, between the first day of April and the thirty-first day of October. Expectorating is prohibited within any building or room used for the aforesaid purposes, except into a proper receptacle provided for that purpose. The smoking, snuffing or chewing of tobacco in any building or room used for aforesaid purposes is prohibited. Plain notices shall be posted in every such place forbidding any person to use tobacco or spit on the floor of such place. No cellar, basement or place which is below the street level shall hereafter be used or occupied as a place in which to manufacture or make for the purpose of sale any of the

Openings screened.

Spitting.

Tobacco forbidden.

Notices posted.

Cellars not to be used.

above mentioned articles, except where the same was used for such purposes on the fourth day of July, nineteen hundred and five; *provided, however,* that this act shall not prevent the use, for the manufacture of candy, ice cream or frozen sweets only, of any cellar or basement which shall, after due inspection and examination by representatives of the Department of Labor, be certified to by the Commissioner of Labor as sanitary in all respects and proper to be used for such purposes, which certificate may be revoked at any time. Proviso.

2. Every room used for the purpose of making or manufacturing, for the purpose of sale, any of the articles mentioned in section one of this act shall be at least eight feet in height; *provided, however,* that this requirement shall not apply to rooms used for the making or manufacturing, for the purpose of sale, of nothing but candy, ice cream or frozen sweets, but such rooms used for the making or manufacturing for the purpose of sale, of candy, ice cream or frozen fruits, shall in all cases be at least seven feet in height, except that any room now used for the making, for the purpose of sale, of nothing but candy, ice cream or frozen sweets need not be altered to conform with this provision unless so ordered by the Commissioner of Labor to improve lighting, ventilation or drainage facilities. Every room used for the purpose of making or manufacturing for the purpose of sale any of the articles mentioned in section one shall have, if required by the Commissioner of Labor, an impermeable floor constructed of wood properly saturated with linseed oil, or of cement or other suitable material; the side walls of every such room shall be well plastered, wainscoted or ceiled with metal or lumber and all interior wood work in such room shall be kept well oiled or painted with oil paint and shall be kept in a clean and sanitary condition at all times. The furniture and utensils in all such rooms shall be so arranged that such furniture, utensils and floor may at all times be kept in a proper and healthful, sanitary and clean condition. The Commissioner of Labor shall have the power to order that any such room or rooms shall be cleaned in such man- Height of rooms. Proviso. Character of floor. Walls. Furniture and utensils. Cleaning.

ner as he shall direct; no domestic animal except cats shall be allowed to remain in any such room. Every such room or rooms shall be kept clean at all times and free from rats, mice or vermin and from all matter of an infectious and contagious disease. No person who has consumption, scrofula or any venereal disease or any contagious or infectious disease or any communicable or loathsome skin disease shall work in any such room or rooms, and no owner, manager or person in charge of any such room or rooms shall knowingly require or suffer such a person to be employed in such room or rooms, nor shall any such room or rooms communicate with or have doors communicating directly with a stable or stable yard.

Vermin.

Diseased persons not employed.

Keeping food.

3. Biscuits, pies, bread, crackers, cake, macaroni and other food stuffs and confectionery after the same are made or manufactured for the purpose of sale shall be kept in dry and airy rooms; the floors, shelves, pans, trays and every kind of appliances used for storing the same shall be so arranged that they can be easily and thoroughly cleaned; proper receptacles for holding coal and ashes and covered garbage pails shall be provided by the proprietor for any place where any of said articles are made or manufactured for the purpose of sale. All baked goods on display in the sales rooms must be well protected from flies, dust and dirt. All vehicles from which any of the articles specified in section one are sold shall be kept in a clean condition and all baskets or other containers in which any of the said articles are conveyed to the streets shall be closely covered in a way to exclude flies, dust or other sources of contamination.

Receptacles for ashes and garbage.

Cleanliness of vehicles.

Toilet facilities.

4. Whoever shall conduct a place where any of the articles specified in section one are made or manufactured for the purpose of sale shall provide proper washing facilities which shall include a sufficient supply of hot water, clean towels, soap and nail brushes, and shall also provide waterclosets separate and apart from the room or rooms in which the manufacture for the purpose of sale of any of the articles specified in section one is carried on; no watercloset, earth closet or privy

shall be within or communicate directly with the room in which said articles are made or manufactured. Operatives, employes, clerks and all persons who handle any of the material from which any of the articles specified in section one are made or manufactured for purpose of sale or who handle the finished product, before beginning work and immediately after visiting the toilet or lavatory shall wash their hands and arms thoroughly in clean water. The outer clothing of all operatives while employed in any such room or place shall be made of washable material, shall be kept clean at all times and shall be worn by such operatives only when at work in any such room or place. The street clothing of any such operatives shall not be kept in any room used for the manufacture of the articles mentioned in section one of this act; the Commissioner of Labor may, in his discretion, order the installation of metal lockers in any such place to be used for the clothing of operatives.

Washing.

Clothing.

5. Sleeping places for persons employed in any room or place used for the making or manufacturing for the purpose of sale of any of the articles specified in section one, shall be kept separate from the room or rooms used for the making or manufacturing of any such article, and the commissioner or assistant commissioner or any inspector may inspect such sleeping places, if they are on the same premises as the room used for making or manufacturing for the purpose of sale of any such article, and order them cleaned or changed, in compliance with sanitary principles.

Sleeping apartments separate.

6. The Commissioner of Labor shall be required to enforce compliance with all the provisions of this act, and for that purpose it shall be his duty to have all places used for the purposes specified in section one visited and inspected at least once in three months; and whenever a complaint in writing, signed by an employe in any such place or by any officer or representative of any labor union in the county wherein the same is located, shall be received by the said commissioner, stating that any provision of this act is being violated in any such place, it shall be the duty of the said com-

Quarterly inspection.

Action on complaints.

missioner forthwith to have the said place, concerning which the complaint is made, visited and inspected. The visits of inspection shall be made in the presence of those then working or employed in said place, and during the usual hours of employment therein. All such places shall be kept at all times in a clean and sanitary condition.

No night work by children.

7. No person under the age of sixteen years shall be employed or allowed or permitted or required to work in any place where any of the articles mentioned in section one are manufactured or made for the purpose of sale, between the hours of seven o'clock in the afternoon and seven o'clock of the forenoon following;

Hours of service.

no employe in any such place shall be required, permitted or suffered to work in any such place more than sixty hours in any one week or more than ten hours in any one day, unless for the purpose of making a shorter workday on the last day of the week, nor more hours in any one week than will make an average of ten hours per day for the whole number of days in which such employe shall so work during such week, but it shall be lawful, in cases of emergency, for an employer to permit any employe to work an additional time, not

Extra work.

exceeding two hours per day, such extra work to be remunerated at the rate of weekly wages paid to such employe for his week of sixty hours; no employe in any such place shall be discharged by his employer for having made any truthful statement as a witness in a court, or to the Commissioner of Labor, assistant Commissioner of Labor, or any inspector in pursuance of this act, or any act amendatory hereof or supplementary hereto.

Serving notices.

8. All notices given under or pursuant to this act, or any act supplementary thereof or amendatory thereto, shall be in writing, signed by the Commissioner of Labor, and may be served upon the owner or proprietor of the place wherein such violation occurred either by delivering the same to him in person or by sending it to him by mail at his last known post-office address, with postage prepaid; if his post-office address is not known, then the said notice may be mailed to the ad-

dress of the place wherein such violation shall have been committed; the notice providing for the doing of any act or the abating of anything forbidden by this act shall fix the time within which such act shall be done or such thing abated, and if the order shall not be obeyed within the time therein fixed the person so failing to obey shall be liable to the penalty herein fixed for the violation hereof.

Bakeries licensed.

9. No person or corporation shall hereafter engage or continue in the business of making or manufacturing biscuits, pies, bread, crackers, cakes, macaroni and other food stuffs, candy, ice cream, confectionery or frozen sweets for the purpose of sale, unless he shall first obtain from the Commissioner of Labor of this State a license so to do. The applicant for any such license shall state in his application the location of the place at which he intends to engage in such business and such license shall not be issued unless the said commissioner is satisfied that such place conforms to all the requirements of this act. Such license shall specify the place at which such business is authorized to be carried on, and shall not authorize the engaging in such business at any other place. When it shall be made to appear to the said commissioner that any place at which such business is carried on under a license as aforesaid is not kept in accordance with or does not conform to the requirements of this act, or that any provision of this act is being violated therein, said commissioner may, after giving not less than forty-eight hours' notice in writing, which notice may be served by any representative of the Department of Labor, either personally on the proprietor of such place or by affixing the same on the inside of said place, revoke the license of the person engaging in such business at such place. No person, whose license to engage in such business has been revoked, shall engage or continue in such business in this State until he has procured a new license in accordance with the terms of this act. Any applicant for any such license shall pay to the Commissioner of Labor a license fee of one dollar, which fee shall be returned to such applicant, in case the license is not granted.

Application.

Revocation of license.

License fee.

Penalties for violations.

10. Any person violating any of the provisions of this act, or any owner or proprietor of any place coming within the provisions of this act who fails to obey any order of this act, shall be liable to a penalty of fifty dollars for the first offense and one hundred dollars for each subsequent offense. Any person who shall, after conviction for violation of any provision of this act, continue such violation shall be liable to a penalty of one hundred dollars.

Fines paid into State treasury.

11. Any penalty recovered in any action brought under the provisions of this act shall be paid to the plaintiff therein, who shall pay the same into the treasury of this State.

Recovery of penalties.

12. 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 Commissioner of Labor 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 pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same contain a statement of the nature of the alleged violation and of the section of this act alleged to have been violated, and upon the attention of the court being called to any such formal or technical defect the same shall be immediately corrected and the said pleading or process amended as a matter of course, and as to all other defects in pleadings or process the same may be amended, in the discretion of the court, as in any other action or proceeding in said court.

Execution issued on judgment rendered.

13. 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 for that purpose 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 keeper of the common jail of said county, there to be detained until discharged by the court in which such 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 the goods and chattels of such body corporate as in other actions of debt.

Injunction to restrain violations.

14. Whenever any person shall violate any of the provisions of this act it shall be lawful for the Commissioner of Labor, 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 commissioner, for an injunction to restrain such violation and for such other or further relief in the premises as the Court of Chancery shall deem proper, but the filing of such bill, nor any of the proceedings thereon, shall not relieve any party to such proceedings from the penalty or penalties prescribed by this act for such violation.

Former legislation not affected by this act.

15. Nothing in this act contained shall be construed to repeal, impair or in anywise affect the provisions of an act of the Legislature of this State, entitled "A further supplement to an act entitle 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,' approved March twenty-first, nineteen hundred and one," approved April twentieth, nineteen hundred and six, or the provisions of an act entitled "A supplement to 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, nineteen hundred and seven" approved April twenty-first, nineteen hundred and nine, but said acts shall continue in force in all respects the same as if this act had not been passed. Nothing in this act shall be construed to repeal, affect or in anywise impair the provisions affecting places where biscuits, pies, bread, crackers, cakes, macaroni and other food stuffs, confectionery, candy, ice cream or frozen sweets

are manufactured, or any other provisions of 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.

Unconstitutionality of one section not to impair others.

16. In case for any reason any section or any provision of this act shall be questioned in any particular and shall be held to be unconstitutional or invalid, the same shall be held to be severable from the other portions of this act and shall not be held to affect any other section or provision of this act.

Acts repealed.

17. The act of the Legislature of this State entitled "Supplement to 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," which supplement was approved April fifth, one thousand nine hundred and five, and the acts amending said supplement approved respectively, March twenty-ninth, one thousand nine hundred and seven, and May first, one thousand nine hundred and eleven, are hereby repealed.

18. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 128.

An Act to annex a portion of the borough of Upper Saddle River, in the county of Bergen, to the borough of Montvale.

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

Part of Upper Saddle River annexed to Montvale.

1. All that part of the borough of Upper Saddle River, in the county of Bergen, described as follows:

Boundaries of portion set off.

Beginning at the northeasterly corner thereof at the northwesterly corner of the present borough of Montvale, at the intersection of the New York State line with the public road leading from Chestnut Ridge, New Jersey, to Spring Valley, New York, and running thence (1) along the center of said road south fifteen (15) degrees, twenty-three (23) minutes west, one thousand two hundred twenty-three and five-tenths (1223.5) feet to the center of the public road leading westerly from Upper Montvale to Saddle River; (2) along the center of said last mentioned road north eighty-six (86) degrees, fifty-six (56) minutes west, two hundred sixty-five and ten hundredths (265.10) feet to the center of the said road leading from Chestnut Ridge to Spring Valley; (3) along same south thirteen (13) degrees, forty-four (44) minutes west, one thousand nine hundred thirty-four and sixty-five hundredths (1934.65) feet to an angle in said road to the east; (4) westerly along the northerly line of lands of William J. Bailie and others all along the present line of the borough of Montvale to an angle in said borough line to the south; (5) northerly to the said New York State line passing fifty (50) feet westerly of the southwesterly corner of the dwelling house of William Clark situate on the northerly side of the road leading from Upper Montvale to Saddle River aforesaid; (6) along the New York State line southeasterly to the place of beginning, be set off from the said borough of Upper Saddle River and annexed to and made a part of the borough of Montvale, in the county of Bergen.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 129.

An Amendment to an act entitled "An act to regulate fees for searches of the records of municipal liens against real property in cities of the first class," approved April thirtieth, 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 the act to which this is an amendment be and the same is hereby amended so that the same shall read as follows:

Application.

2. Any person presenting a written application to the comptroller of such city for a certificate or certificates of the searches mentioned in section one of this act, and indicating distinctly in such application the property on which such searches are desired, shall pay to the comptroller the said fee of three dollars at the time of presenting such application. The comptroller shall thereupon forward such application to the custodian or custodians of the records of such municipal liens, who shall thereupon search the records in their respective offices or departments and return to the comptroller certificates duly signed by them, stating the result of such searches, and specifying the amounts and character of all unpaid liens against such property, and the said comptroller shall pay over to the office or department to which records appertain and furnishing such certificate or certificates, where other than his own, one dollar of the said fee of three dollars for each single lot, piece, parcel or tract of land in one city block, for the use of such office or department; the comptroller shall thereupon deliver such certificate or certificates to the person who shall have applied for the same; *provided, however,* that in cities wherein the records of such mu-

Search made.

Fees.

Proviso.

nicipal liens are by law required to be kept in the custody of the comptroller of such city, the comptroller shall search the records and make the searches and certificates herein described.

Section 3 amended.

2. Section three of said act be and the same hereby is amended so as to read as follows:

Moneys paid into city treasury.

3. All moneys received by the comptroller of any city in accordance with the provisions of this act remaining in his hands after payments as hereby required in section two of this act shall be paid by said comptroller to the city treasurer for the use of the city.

3. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 130.

An Act making an appropriation for the purpose of making a permanent inlet or mouth to Shark river, in the county of Monmouth.

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

Appropriation for Shark river inlet.

1. The sum of thirty-five thousand dollars be and the same is hereby appropriated out of the State fund for the use and purpose of making a permanent inlet or mouth to Shark river, in the county of Monmouth, the work to be done by contract and to be under the control, management and supervision of the board of managers of the geological survey, this appropriation to be available at the same time and the same manner as the usual appropriations are made and available for the fiscal year; *provided, however,* no part of the said thirty-five thousand dollars shall be paid for any work tending to the making of the said permanent mouth or inlet to the said Shark river, in the county of Monmouth, until the municipalities adjacent to the said

Proviso.

Municipal assistance.

Shark river shall have raised and placed at the disposal of the Treasurer of the State of New Jersey the sum of at least twenty thousand dollars to be used for the same purpose and to be used in conjunction with the moneys appropriated by the State of New Jersey for the purpose of making a permanent mouth or inlet to the said Shark river.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 131.

A Supplement to an act entitled "An act for the protection of the public health," approved March twenty-second, one thousand eight hundred and ninety-five.

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

Communicable diseases reported to health authorities.

1. Every physician, superintendent or other person having control or supervision over any State, county or municipal hospital, sanatorium or other public or private institution in which any person suffering from any of the communicable diseases named in the act to which this act is a supplement is received for care or treatment shall, within twenty-four hours after any such case of sickness has been received into said institution report such sickness to the secretary or clerk of the local board of health having jurisdiction over the territory in which such institution is located; if the local board of health have designated some other officer to receive such report then the report shall be made to such designated officer, said report shall be in writing, signed by such physician, superintendent or other person having charge over said institution and shall set forth the name, age, color, sex, and nationality of the sick person and shall also set forth the exact place of

Nature of report.

residence of the patient or the name of the place from which he was received into the institution, together with the date upon which he was received; and every physician, superintendent or other person having charge over any State, county, or municipal hospital, sanatorium or other public or private institution in which any case of communicable disease named in the act to which this act is a supplement is received for care or treatment, who shall fail to perform the above mentioned duty at the time and in the manner named, shall be liable to a penalty of fifty dollars for each such failure.

Penalty for not reporting.

2. Every secretary, clerk, assessor or other person designated by any local board of health to receive reports of the communicable diseases required to be made by the act to which this act is a supplement, who shall receive any report of such sickness from any physician, superintendent or other person having charge over any of the institutions referred to in this act, shall, when the sick person referred to in such report resides in some municipality or township other than that in which such institution is located, make a duplicate of any such report received by him and transmit the same, within twenty-four hours after the receipt of the original, by mail, to the officer legally designated to receive such reports in the locality in which the sick person resided before being admitted into such institution, and every secretary, clerk, assessor or other officer designated to receive such reports who shall fail to perform the above named duty within the time and in the manner above named shall be liable to a penalty of fifty dollars.

Report to be made to head office by receiving person.

3. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 132.

An Act concerning local boards of health and providing for expenses of delegates attending meetings of Health Officers' Association of New Jersey.

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

Expenses met.

1. All local boards of health in this State employing an health officer shall defray the necessary expenses of said officer to attend the regular meetings of the Health Officers' Association of New Jersey.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 133.

An Act to amend an act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight, approved March seventeenth, 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 entitled "An act to amend an act entitled 'A supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight, approved March seventeenth, one thousand nine hundred and eight,' " be and the same is hereby amended so as to read as follows:

Cigarettes or tobacco not furnished children under eighteen.

1. Hereafter no person shall furnish cigarettes or cigarette paper or tobacco in any form, by sale, gift, acting as agent, directly or indirectly, or otherwise, to any minor under the age of eighteen years, and any person so offending may be tried before a police magistrate or official having criminal jurisdiction in any city, borough, town, township, village or other municipality where such offense was committed and on conviction thereof shall be punished by a fine not exceeding ten dollars ($10.00) for the first offense and not exceeding twenty-five dollars ($25.00) for each succeeding offense.

Penalty.

Repealer.

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

3. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 134.

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

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

Surrender of notes considered capital stock.

1. Whenever any mutual fire insurance company created under and by virtue of the provisions of the act to which this act is a supplement, shall have heretofore taken or may hereafter take advantage of section twenty-one of the act to which this is a supplement, and shall have created a capital stock and issued policies, not mutual, participating or assessable, all notes received by such company at the time of its commencement of business as advance premiums for insurance,

as required by section six of the act to which this act is a supplement, and which notes are by the section of the act last aforesaid considered the capital stock of such company, may by a majority vote of the directors of such company be retired and surrendered to the persons by whom the same were given; *provided, however,* that the policies of insurance in connection with which such notes shall have been received, shall have matured, or have been surrendered or canceled.

Proviso.

Repealer.

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

Approved March 21, 1912.

CHAPTER 135.

A Supplement to 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:*

Accounting reported.

1. All actions in which matters of account are in controversy may by rule be referred to some competent person or persons to state and report an account between the parties and the amount that may be due from either party to the other, which report signed by the referee or a majority of the referees, when confirmed by the court, shall be final and conclusive between the parties, and judgment may be entered thereon and execution issued in the manner provided by law; but either parties may at the time of ordering such reference file notice in writing reserving his right to trial by the court or a jury, and within five days after the report is filed may demand such a trial, in which case the action shall

Confirmed report final.

be tried by the court or jury as demanded, the costs of the reference to abide the result. On such trial the report of the referee or referees shall be prima facie evidence of all the facts therein found and reported; the party demanding a trial by jury shall file his exceptions to the report in five days after notice that the same is filed, and no other exception shall be considered on the trial. If no such reservation has been entered, or if the party fails so to demand a trial or to file exceptions, the report may be confirmed on motion of either party on three days' notice.

Jury trial may be demanded. Report in evidence.

Either party may make motion to confirm.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 136.

An Act to amend an act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof," approved May twenty-second, eighteen hundred and ninety-four.

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 amendatory, be and the same hereby is amended so that it shall read as follows:

6. That the board may refuse to grant or may revoke a license for the following causes, to wit, chronic and persistent inebriety; the practice of criminal abortion; conviction of crime involving moral turpitude or for publicly advertising special ability to treat or cure chronic or incurable diseases; or where any person shall present to this board any diploma, license or certificate that shall have been illegally obtained, or that shall have been signed or issued unlawfully or under fraudulent

When board may grant or refuse licenses.

Copy of complaint furnished.

representations; in complaints for violating the provisions of this section, the accused person shall be furnished with a copy of the complaint, and given a hearing before said board in person or by an attorney; and any person, after such refusal or revocation of license, who shall attempt or continue the practice of medicine, shall be subject to the penalties hereinafter prescribed.

Penalty.

2. This act shall take effect immediately.

Approved March 21, 1912.

CHAPTER 137.

An Act concerning trespassing on lands for the purpose of gunning or fishing.

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

Trespassing unlawful after public notice.

1. It shall be unlawful for any person or persons to trespass upon the occupied lands of any other person or persons within this State for the purpose of hunting with a gun or fishing, killing or catching any game or fish enumerated in the statutes, after public notice on the part of the owner, occupant, lessee or licensee thereof, forbidding such trespass, such notice being posted conspicuously adjacent to the highway binding on said land or adjacent to any usual entrance-way to said lands; and every person violating this act shall be punished by a fine not exceeding ten dollars and costs, and every justice of the peace, police court or recorder shall have jurisdiction to try such offenders, and pronounce sentence as herein provided.

Notice posted.

Penalty.

Unlawful to trespass after private notice.

2. It shall be unlawful for any person or persons to trespass upon the occupied lands of any other person or persons within this State for the purpose of hunting with a gun or fishing, killing or catching any game or fish enumerated in the statutes, after being forbidden so to trespass by the owner, occupant, lessee

or licensee thereof; and every person violating this act shall be punished by a fine not exceeding ten dollars and costs, and every justice of the peace, police court and recorder shall have jurisdiction to try such offenders and pronounce sentence as herein provided. Penalty.

3. Any persons guilty of violating any of the provisions of this act may be arrested without warrant by the owner, occupant, lessee or licensee, or any officer of the law, taken before any of the justices or courts mentioned in this act as having jurisdiction. Any person convicted of violating the provisions of this act, on failure to pay a fine imposed as provided in this act, the said justice or court before whom the conviction is had may commit such persons to the county jail until such fine is paid. Arrest without warrant. Convicted person may be imprisoned.

4. All moneys recovered as fines for any violations under this act, shall be paid to the Board of Fish and Game Commissioners for the uses and purposes of said Board of Fish and Game Commissioners. Use of penalties.

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

Approved March 21, 1912.

CHAPTER 138.

An Act to prevent the adulteration, and to regulate the sale of skimmed milk.

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

1. Every person who sells, or offers or exposes for sale or has in his possession for the purpose of sale, any milk or condensed milk contained in any can or package having a capacity of forty quarts or more, from which milk or condensed milk the cream or any part thereof has been removed, shall securely fix a label or Cans containing skimmed milk so marked.

tag in a conspicuous place upon the outside of every such can or package containing such milk or condensed milk, and such label or tag shall have the words "skimmed milk" or "condensed skimmed milk," as the case may be, printed thereon in letters not less than one inch in height, and the several lines of which letters shall not be less than one-eighth of an inch in width, and such milk or condensed milk shall only be sold, or offered or exposed for sale, or had in possession with intent to sell, or shipped in a can or package so marked;

Proviso. *provided, however,* that this act shall in no way affect the requirements of section nine 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 1909)," approved May twentieth, one thousand nine hundred and seven, relative to the sale of skimmed milk at retail.

Penalties. 2. Every person who shall violate any of the provisions of section one of this act shall be liable to a penalty of twenty-five dollars for the first offense, and to a penalty of fifty dollars for the second and each subsequent offense, and each can or package sold, or offered or exposed for sale, or had in possession with intent to distribute or sell in violation of the provisions of the aforesaid section one shall be deemed to constitute a separate and distinct offense.

Penalties, how recovered. 3. Any and all penalties prescribed by section two 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, or by and in the name of any board of health of any municipality of this State, as the case may be,

Pleadings. as plaintiff. The pleadings shall conform in all respects to the practice prevailing in the court in which any such action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same contain a statement of the nature of the alleged violation and of the section of this act alleged to have been violated, and upon the attention of the court being called to any such formal or technical defect the same

shall be immediately corrected and the said pleading or process amended as a matter of course, and as to all other defects in pleadings or process the same may be amended, in the discretion of the court, as in any other action or proceeding in said court. Defective pleadings amended.

4. 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 for that purpose 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 keeper of the common jail of said county, there to be detained until discharged by the court in which such 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 the goods and chattels of such body corporate as in other actions of debt. Execution issued. If goods insufficient body taken. Against corporations.

5. Any penalty recovered in any action brought under the provisions of this act shall be paid to the plaintiff therein. When such plaintiff is the State Board of Health, such penalty shall be paid by such board into the treasury of this State. When such plaintiff is a local board of health, such penalty shall be paid by such local board into the treasury of the township, city, borough, town or other local municipal government within which such local board has jurisdiction. Disposition of fines recovered.

6. This act shall take effect immediately.

Approved March 21, 1912.

New Jersey State Library

CHAPTER 139.

An Act to amend an act entitled "An act providing for the employment of inmates of penal, correctional or reformatory institutions of this State, and creating a board for the control, regulation and supervision of the labor of such institutions, and for the disposal of the products of the labor of such inmates, approved June eleventh, one thousand nine hundred and eleven.

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:

Contract prison labor prohibited.

1. From and after the passage of this act no contract whatsoever shall be made by which the labor or time of any inmate of any penal, correctional or reformatory institution of this State or of any political sub-division thereof, or the product or profit of his work, shall be let, contracted for, leased, farmed out, given or sold to any person, firm or corporation, except that the inmates in such institutions may work for, and the product of their labor may be disposed of to the State or any political sub-division thereof, or to any public institution owned, managed and under the control of the State, or any political sub-division thereof, for the purposes and according to the provisions of this act; *provided, however,* that nothing herein contained shall affect any existing contract for prison labor; *and provided further,* that no existing contract for such labor shall be renewed or extended; *and provided further,* that nothing in this act shall be construed to prevent the indenture or placing of inmates of the State Home for Boys and the State Home for Girls, under rules now existing, or which may hereafter be adopted.

Proviso.

Proviso.

Proviso.

Approved March 25, 1912.

CHAPTER 140.

An Act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and 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 violation," 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 7 amended.

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

Mufflers; smoke preventives.

7. Every motor vehicle shall have and every driver of such motor vehicle shall use devices to prevent excessive noise, annoying smoke and the escape of gases and steam as well as the falling out of embers or residue from the fuel; and all exhaust pipes carrying exhaust gases from the engine, shall be directed parallel to the ground or slightly upward. Devices known as "muffler cut-outs" shall not be used within the limits of any city, town or borough, or within two hundred feet of any horse-drawn vehicle on the public highway.

Repealer.

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

Approved March 25, 1912.

CHAPTER 141.

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 182 amended.

1. Amend section one hundred eighty-two of the act to which this act is an amendment so that it shall read as follows:

Report of district boards to county superintendent; what to show.

182. The board of education of each school district shall, on or before the fifteenth day of March in each year, certify to the county superintendent of schools for the county in which such school district shall be situate, and on the blanks furnished for that purpose by the Commissioner of Education, the number of teachers who shall have been employed in the schools of such district for the full time the schools therein shall have been kept open during the then current school year, and the number of teachers who shall have been employed in said schools for a portion of said year, but for a period of not less than four months, specifying the grade in which each of such teachers shall have been employed. There shall also be certified as aforesaid the number of pupils who shall have attended a public school in a district other than that in which they reside, and for whom tuition fees shall have been paid by the board of education, specifying the grade in which each of such pupils shall have been enrolled during said year, and also the number of such pupils for whom transportation has been provided, and the cost thereof.

County superintendent to apportion school moneys.

The said county superintendent of schools shall, on or before the first day of April in each year, apportion

to the several school districts of said county the State school moneys, and the interest of the surplus revenue in the following manner:

As to supervising principal.

I. (a) The sum of six hundred dollars to each district in which there shall have been employed a supervising principal or city superintendent of schools, who shall have devoted his entire time to the supervision of the schools in such district, but if two or more districts shall have united in employing a supervising principal as aforesaid, the six hundred dollars apportioned for such principal shall be apportioned among said districts in the proportion that the number of teachers employed in each of said districts shall bear to the total number of teachers employed in all of the districts uniting in employing said supervising principal.

Special teachers.

(b) The sum of five hundred dollars for each teacher employed in a special class for the instruction of blind or deaf children or for children who are three years or more below the normal.

Assistant supervisors.

(c) The sum of four hundred dollars for each assistant superintendent and supervisor, other than the supervising principal, employed in the district, and permanent teacher employed in a high school or high school department having a full four years' course of study, who shall have been approved by the State Board of Education.

High school teachers.

(d) The sum of three hundred dollars for each permanent teacher employed in a high school or high school department having a full three years' course of study, which shall have been approved by the State Board of Education.

Other teachers.

(e) The sum of two hundred dollars for each permanent teacher employed in an ungraded school, or in a kindergarten, primary or grammar department or in a high school department having a course of study of less than three full years, which course of study shall have been approved by the State Board of Education.

Temporary teachers.

(f) The sum of eighty dollars for each temporary teacher who shall have been employed for a period of not less than four months.

Night school teachers.

(g) The sum of eighty dollars for each teacher employed in an evening school for the full time such school

Proviso.

shall have been maintained; *provided,* the board of education shall certify that said evening school has been maintained at least four months during the school year preceding that for which the apportionment shall be made; *provided, further,* if any such teacher shall have been also employed in the day schools of the same district, the apportionment aforesaid shall be made for such teacher in addition to any amount apportioned for him as teacher in such day schools.

Proviso.

Pupils attending high schools outside district.

(h) The sum of twenty-five dollars for each pupil who shall have attended a high school or high school department in a district other than that in which he resides, and for whom a tuition fee shall be paid by the board of education.

Pupils atending lower grades outside district.

(i) The sum of five dollars for each pupil who shall have attended an ungraded school or a kindergarten, primary or grammar school department, in a district other than that in which he resides, and for whom a tuition fee shall have been paid by the board of education.

Transportation of pupils.

(k) Seventy-five per centum of the cost of transportation of pupils to a public school or schools; *provided,*

Proviso.

that, subject to appeal as provided in section ten of the act to which this act is an amendment, the necessity for the transportation and the cost and method thereof shall have been approved by the county superintendent of schools of the county in which the district paying the cost of such transportation is situate.

As to manual training instructors.

In making such apportionment teachers employed in a manual training school or department in a district receiving an appropriation from the State for such manual training school or department and who shall have devoted at least one-half of the time the schools in said district shall have been kept open to school work other than manual training, shall be regarded as temporary teachers only, but no apportionment shall be made for teachers who shall have devoted their entire time to teaching in such manual training school or department.

Apportionment of balance.

II. He shall apportion to the several school districts of the county the remainder of said moneys on the basis

of the total days' attendance of all pupils enrolled in the public schools thereof as ascertained from the last published report of the Commissioner of Education. For the purpose of such apportionment an attendance upon an evening school shall be counted as one-half day's attendance. If a school in any district shall, on account of contagious disease, destruction of the schoolhouse by fire or otherwise, or for other good reason, be closed, for the purpose of this apportionment, such school shall be deemed to have been in session, and the total days' attendance upon such school for the time it shall have been closed as aforesaid shall be determined by dividing the actual total days' attendance of the pupils enrolled in such school by the number of days such school shall have been actually in session, and multiplying the quotient thus obtained by the number of school days such school shall have been closed.

If school closed by disease, fire, etc.

2. This act shall take effect immediately.

Approved March 25, 1912.

CHAPTER 142.

A Supplement to an act entitled "An act to establish a uniform standard of weights and measures in this State, to establish a department of weights and measures, and to provide penalties for the use of other than standard or legal weights and measures," approved April twenty-fourth, nineteen hundred and eleven.

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

1. The State Superintendent of Weights and Measures is hereby authorized to appoint not more than two clerical assistants as he may deem necessary, the salary of such clerical assistants to be paid out of the treasury

Clerical help.

Amount allowable.

of this State, in such amounts as shall be fixed and determined upon by said State Superintendent. The total amount for such services shall not exceed the sum of two thousand and four hundred dollars in any one year.

2. This act shall take effect immediately.

Approved March 25, 1912.

CHAPTER 143.

An Act authorizing the acknowledgment of deeds and other instruments in writing by corporation.

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

Acknowledgments by corporation as a natural person.

1. Whenever any president, vice-president or other presiding officer, or any secretary, assistant secretary or other recording officer of any corporation, who shall have signed the same as such officer, shall acknowledge that any deed, paper or other instrument in writing made by any corporation and sealed with its corporate seal, is the voluntary act and deed of such corporation made by virtue of authority from its board of directors, board of trustees or other similar body, and such acknowledgment is made before any officer authorized by the laws of this State to take the acknowledgments of deeds for real estate in this State, in order to entitle the same to be recorded, and there shall be a certificate of such acknowledgment signed by such officer before whom the same was made, endorsed on or attached to such deed, paper or other instrument of writing, it shall be as good and effectual in law as if the said deed, paper or other writing had been made, executed and acknowledged by a natural person.

2. This act shall take effect immediately.

Approved March 25, 1912.

CHAPTER 144.

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

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

Stealing ice a misdemeanor.

1. Any person or persons, corporation or corporations that shall steal, take or carry away, or cause to be stolen, taken or carried away, any ice formed upon, or being upon, the surface of any lake, pond, mill-pond, stream or body of water owned by private owner or owners, shall be guilty of a misdemeanor.

Public waters excepted.

2. This act shall not apply to the public waters of this State.

Repealer.

3. 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 25, 1912.

CHAPTER 145.

An Act to amend an act entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, approved April twenty-eighth, one thousand nine hundred and five" approved April fifteenth, 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 an act entitled "An act to amend an act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, approved April twenty-eighth, one thousand nine hundred and five" approved

April fifteenth, one thousand nine hundred and eight, be and the same is hereby amended so as to read as follows:

1. Section one of an act entitled "An act respecting licenses in cities, townships, incorporated boroughs, approved April twenty-eighth, one thousand nine hundred and five," is amended to read as follows:

Ordinances to license various business.

1. It shall be lawful for the common council, board of aldermen, township committee or other governing body of any city, township, incorporated town or incorporated borough, to make and establish ordinances for the following purposes, namely: to license and regulate cartmen, porters, hacks, cars, omnibuses, stages, and all other carriages and vehicles used for the transportation of passengers, baggage, merchandise and goods and chattels of any kind, and the owners and drivers of vehicles and means of transportation, also auctioneers, common criers, hawkers, peddlers, pawn brokers, junk-shop keepers, junk dealers, bill posters, keepers of bath houses, boarding houses and hotels, lodging houses, or other buildings used by the public for sleeping or lodging purposes, and news stands, sweeps, scavengers, traveling or other shows, circuses, theatrical performances, plays, exhibitions, concerts, skating rinks, arranging for, taking or making moving pictures by means of camera, films, plate or any other photographic apparatus, itinerant venders of merchandise, medicine and remedies, and also the place or places or premises in which or at which the different kinds of business or occupation mentioned herein are to be carried on or conducted, and to fix the rates of compensation to be paid therefor, and to prohibit all persons and places and all vehicles unlicensed from acting, using or being used in said capacities and for such uses and purposes,

Prescribe penalties.

and to fix and prescribe penalties, either by fine not to exceed one hundred dollars, or by imprisonment not to exceed ninety days, for the violation of any such ordinance or ordinances, and that fees for such licenses may be imposed for revenue.

2. This act shall take effect immediately.

Approved March 25, 1912.

CHAPTER 146.

An Act providing for the payment of a pension to the widow of any Governor of this State.

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

1. If any Governor of this State heretofore or hereafter elected has died or shall die, leaving a widow surviving him, such widow shall be entitled to receive during the term of her natural life, so long as she shall remain unmarried, an annual pension of twelve hundred dollars, to be paid in equal monthly payments by the Treasurer of this State, upon the warrant of the Comptroller of the Treasury. Pension for widow of Governor.

2. Any such widow entitled to a pension under this act, shall file a notice of application therefor with the Comptroller of the Treasury. Application.

3. This act shall take effect immediately.

Approved March 25, 1912.

CHAPTER 147.

An Act appropriating one thousand two hundred dollars for the purpose of carrying into effect Senate Joint Resolution No. 5.

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

1. The sum of one thousand two hundred dollars, or as much of it as may be necessary, is hereby appropriated for the purpose of carrying into effect Senate Appropriation for history of Kearny's brigade.

Joint Resolution No. 5, which provides for the publication of one thousand (1,000) copies of the history of "Kearny's First New Jersey Volunteers Brigade."

2. This act shall take effect immediately.

Approved March 25, 1912.

CHAPTER 148.

An Act making appropriation for the extension of the government survey and the erection of monuments for the permanent location thereof on the route of the ship canal across the State of New Jersey, and for other incidental expenses in connection therewith.

Preamble. WHEREAS, by Joint Resolution No. 8, approved April twenty-fourth, nineteen hundred and eleven, the Governor was authorized to appoint five persons to constitute the New Jersey Ship Canal Commission, whose duty it should be to examine the plan and route of the proposed canal across the State of New Jersey, connecting New York bay with deep water in the Delaware river at Bordentown, to discover the amount of land necessary to be acquired for the right of way of the said canal, and determine other facts in connection therewith; and

Preamble. WHEREAS, the report of the said Commission has been filed with the Legislature, and it is necessary and advisable that the survey heretofore made by the Federal Government shall be extended, and that monuments shall be erected along the line of the said survey, so that the location thereof may not be lost;

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

Appropriation for extension of survey of ship canal. 1. The sum of twenty-five thousand dollars is hereby appropriated to be used by the commission appointed under Joint Resolution No. 8, approved April twenty-

fourth, nineteen hundred and eleven, and known as the New Jersey Ship Canal Commission, to be expended in the extension of the United States Government surveys for a ship canal across the State of New Jersey, and for the erection of monuments for the permanent location thereof to ascertain the description of the lands and their owners, and for such other necessary expenses as in the performance of the duty for which it was constituted the said commission shall order.

Expenditure.

2. The sum of money hereby appropriated shall be expended, when included in any annual or supplemental appropriation bill, in whole or in part to the extent appropriated, upon the approval of the president and the secretary of the said commission.

Repealer.

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

Approved March 25, 1912.

CHAPTER 149.

An Act to amend an act entitled "An act for the publication of the law and Chancery reports," approved February twenty-eighth, one thousand eight hundred and seventy-seven.

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

Section 2 amended.

1. Paragraph two of the act referred to in the title of this act is hereby amended to read as follows:

Number printed.

2. That said reports shall be printed by said law and Chancery reporters, respectively, at their own expense, upon good paper to be approved by the Secretary of State; and whenever a number of said reports shall be printed, the said reporters shall, each, deliver to the Superintendent of the State House and adjacent pub-

lic grounds four hundred and fifty copies thereof for which the Treasurer shall pay each reporter per number, such sum as shall be fixed by the Chancellor and Chief Justice of the Supreme Court.

Repealer.

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

Approved March 25, 1912.

CHAPTER 150.

An Act to extend the operation of a writ of habeas corpus to cover the return of persons who have been admitted to charitable institutions of this State and who have left the same without having been finally discharged therefrom pursuant to law.

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

Habeas corpus extended to inmates of charitable institutions.

1. All persons who have been admitted to charitable institutions of this State, either by commitment or on application for admission made by their parents or guardians or custodians, as provided by law, where such commitment has been made either for a permanent or determinable period of time; or such admission has been made on application in which all right to remove such person or persons for the term of such commitment, either permanent or determinable, as the case may be, has been waived, shall be entitled to the benefit of the writ of habeas corpus where such person or persons have left any charitable institution of this State, without having been finally discharged therefrom, pursuant to law.

Application.

2. The superintendent, warden or keeper of such charitable institution may, under the authorization of the governing body of such charitable institution, apply for

the writ of habeas corpus to obtain the release from custody or restraint of such person or persons, inmates as aforesaid, and for an order directing the return of such person or persons to the custody, care or keeping of those in charge of the charitable institution in whose custody, care or keeping such person or persons rightfully belong in accordance with the original commitment or admission of such person or persons, and it shall be lawful for the court or judge to whom such application may be made to allow such writ and upon the return of the writ to direct that such person or persons be released from the restraint or confinement in which they may be held, and to order their return to the custody, care or keeping of those in charge of the charitable institution to which said person or persons may have been committed or admitted, as aforesaid; *provided, however,* that the court or judge who shall hear the matter at the return of the writ may exercise discretion in the ruling to be made for the best interest of such person or persons, inmates, as aforesaid, as well as for their parents, guardians or custodians; and the officers of said charitable institution upon the making of said order of release and for the return of such person or persons, shall have full authority to put such order into effect and to call to their assistance the duly constituted peace officers of the forum, and any one who shall be guilty of resisting or interfering with the proper execution of such order, shall be guilty of a misdemeanor.

Court to allow writ.

Proviso.

3. All proceedings taken in pursuance of this act shall be in accordance with the provisions of an act entitled "An act for preventing the injury of illegal confinements, and better securing the liberty of the people," and the supplements and amendments thereto as in force at the time of the approval of this act.

Proceedings.

4. This act shall take effect immediately.

Approved March 25, 1912.

CHAPTER 151.

An Act to authorize the New Jersey State Board of Agriculture to procure, set up and maintain an exhibit of the products of the farming lands of New Jersey at the Second Land and Irrigation Exposition in New York City, November fifteenth to December second, one thousand nine hundred and twelve.

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

Exposition commission.

1. The president and secretary of the State Board of Agriculture, the president and secretary of the State Horticultural Society and the master and secretary of the State Grange, Patrons of Husbandry, and the director of the State Agricultural Experiment Station, be and are hereby constituted The New Jersey Exposition Commission.

Objects.

2. It shall be the duty of the New Jersey Exposition Commission to co-operate with officers of the American Land and Irrigation Exposition in encouraging and forwarding the objects of said exposition, and especially to organize, prepare, superintend and have the general management of the New Jersey department of the said Exposition.

Duties.

3. To accomplish the objects stated in the next preceding section, it shall be the duty of the "New Jersey Commission" to disseminate throughout this State information regarding said exposition; to take measures to secure the co-operation of agricultural, horticultural, pomological and other associations in the several counties; to appoint co-operative committees representing those industries of the State; to stimulate local action and encourage the production of articles suitable for exhibition, so as to make the New Jersey department of the exposition worthy the State, and to furnish in-

formation to the American Land and Irrigation Commission and to the people of the State on all subjects connected with the success thereof.

Continuance.

4. The said New Jersey Exposition Commission shall continue until such time after the close of said exposition as will be necessary to complete and settle the business connected therewith, not later than the first day of April, anno domini one thousand nine hundred and thirteen.

No pay.

5. The members of said New Jersey Exposition Commission shall not receive any compensation for their services.

Appropriation for expenses.

6. To pay the necessary expenses attending and consequent upon the discharge of their duties and to enable them to have prepared by the heads of the different organizations named, exhibits of the agricultural, horticultural and other products of the State, and for such aid and assistance as shall be necessary to carry out the objects of this act, there be hereby appropriated the sum of ten thousand dollars and that out of the same there shall be paid so much as shall be necessary to defray the expenses as aforesaid; to be paid by the Treasurer of the State upon the warrant of the Comptroller, upon being certified by the president of said New Jersey Exposition Commission.

7. This act shall take effect immediately.

Approved March 25, 1912.

CHAPTER 152.

An Act to amend an act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof," approved May twenty-second, one thousand eight hundred and ninety-four.

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

Section 4 amended.

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

Persons desiring to practice medicine to apply for license.

4. All persons hereafter commencing the practice of medicine or surgery in any of its branches in this State shall apply to said board for license so to do. Said board shall, except as herein otherwise provided, examine all qualified applicants for license to practice medicine or surgery in accordance with the provisions

Form of application.

of this act. Every applicant for examination shall present to the secretary of said board, at least ten days before the commencement of the examination at which he or she desires to be examined, a written application for admission to such examination on a form or forms provided by said board, together with satisfactory proof that the applicant is more than twenty-one years of age

Evidence of scholastic attainment.

and of good moral character. Such applicant shall also present to said board a certificate from the Commissioner of Education of this State, showing that before entering a medical college he or she had obtained an academic education consisting of a four years' course of study in an approved public or private high school or the equivalent thereof.

Degree from medical school.

Every applicant for admission to examination for a license to practice medicine or surgery shall, in addition to the above requirements, prove to said board that

he has received a diploma conferring the degree of doctor of medicine from some legally incorporated medical college of the United States, which college, in the opinion of said board, was in good standing at the time of the issuance of said diploma, or a diploma or license conferring the full right to practice all of the branches of medicine and surgery in some foreign country, and further prove that prior to the receipt of such diploma from any such medical college of the United States, or such diploma or license conferring the right to practice medicine and surgery, as aforesaid, he had studied medicine not less than four full school years, including four satisfactory courses of lectures of at least seven months each, in four different calendar years in some legally incorporated and registered American or foreign medical college or colleges in good standing in the opinion of said board; *provided, however,* that candidates for license to practice medicine or surgery who were graduated from an approved medical college prior to July fourth, one thousand nine hundred and three, and have been in continuous and reputable practice of medicine for at least five years since graduation, may be admitted to the examination of said board upon the submission of satisfactory evidence of good moral character, and of the fact that such applicant has completed three courses of medical lectures in an approved medical college in different calendar years, and has obtained a competent academic education according to the standard at that time as determined in the case of non-graduates of academic institutions by the Commissioner of Education of this State; *provided, however,* that the records of the board and such license shall state that such license was issued to any such applicant under the first exemption contained in this section.

Evidence of study.

Proviso.

Proviso.

It is further provided that candidates for license to practice medicine or surgery who were graduated from an approved medical college prior to July fourth, one thousand eight hundred and ninety-four, and have been in continuous and reputable practice of medicine since graduation may be admitted to such examination of this board upon the submission of satisfactory evidence

Applicants who have practiced.

of good moral character, and of two courses of medical lectures in an approved medical college in different calendar years, and of the fact that such applicant has obtained a competent academic education according to the standard at that time as determined in the case of non-graduates of academic institutions by the Commissioner of Education of this State, it being further provided, however, that the records of such board and such license shall state that any such applicant was licensed under the second examption contained in this section.

Deposit.

Upon the approval of the application for examination, such applicant shall deposit with the treasurer of said board the sum of twenty-five dollars as an examination fee, and shall thereupon be entitled to admission to such examination. In case said applicant fails to pass the examination, he may be re-examined at the next regular examination held by said board without the payment of an additional fee. Each applicant shall sign his or her name opposite a number in a book kept for that purpose by the secretary of said board and shall mark his or her examination paper with said number, and shall be known to the members of said board only by said number until his or her papers have been examined and marked. Any applicant for license to practice medicine or surgery, upon proving to the satisfaction of said board that he is of good moral character, and that he has been examined and licensed by the examining and licensing board of another State of the United States, and that the standard of requirements for licenses to practice medicine or surgery in the State where such license was granted were at the time of the granting of such license substantially the same as the standard of requirements for said licenses in force in this State at the time of said application, and upon filing with the secretary of said board a copy of his license or certificate, verified as a true copy by the affidavit of the secretary of the board granting such license, may, in the discretion of the said Board of Medical Examiners of this State, be granted a license to practice medicine and surgery without further exami-

Re-examination.

Examination number.

Granting license without examination.

nation upon the payment to the treasurer of said board of a license fee of fifty dollars. In any such application for a license without examination, all questions of academic requirements of other States shall be determined by the Commissioner of Education of this State. Fee.

2. This act shall take effect immediately.

Approved March 25, 1912.

CHAPTER 153.

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-first, one thousand eight hundred and ninety-nine, providing for the appointment of city officers."

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

1. The common council shall have power by resolution to appoint a city treasurer for a term of three years. Council may appoint sundry officials.

A street commissioner for a term not exceeding three years.

A city solicitor for a term not exceeding three years.

A city physician for a term not exceeding three years.

A chief engineer of the fire department for a term of one year.

A police justice for a term of two years.

An inspector of buildings for a term not exceeding three years.

A city auditor for a term not exceeding three years, and

Such other officers as may be necessary to carry out the provisions and purposes of the act.

The common council shall have power by resolution to fix the salary, to require bond and to fix the amount Salaries and bond.

thereof and to prescribe the duties of each officer except when otherwise provided for by law; *provided, however,* that the salary of any officer shall not be increased or decreased during his term of office, and that each officer shall be separately appointed and voted for.

Proviso.

Residence.

All officers appointed by the common council shall be residents of the city except the city engineer.

2. This act shall take effect immediately.

Approved March 25, 1912.

CHAPTER 154.

An Act to amend an act entitled "An act for the publication of the law and chancery reports," approved February twenty-eighth, one thousand eight hundred and seventy-seven.

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

Section 10 amended.

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

Distribution of legal reports by custodian of State House.

10. The custodian of the State House shall, on the receipt of said reports, after retaining one copy for his office, cause the residue to be distributed under the direction of the State House Commission, as follows: To the Governor of this State, two copies; to each member of the Legislature, one copy; to the State Librarian, to be deposited in the State Library, twenty copies; to the Department of State of the United States for the Congressional Library, four copies; to the library of each State and Territory in the United States, to be deposited in such library, one copy; to the Chancellor of this State and each Vice-Chancellor, one copy; to each judge of the United States Circuit Court and District Courts for the District of New Jersey, the Supreme Court, Court of Errors and Appeals, Circuit Court,

Common Pleas Court, and the District Court, one copy; to the Secretary of State, Comptroller, Treasurer, clerk of the Supreme Court, Clerk in Chancery, one copy; to the Attorney-General for the use of his office, three copies; to the Commissioner of Banking and Insurance, Superintendent of Public Instruction, the State Board of Assessors, the State Board of Taxation, the State Board of Health, the Adjutant-General and Quartermaster-General, for their respective offices, each one copy; to each prosecutor of the pleas, county clerk, register, sheriff, surrogate in this State, clerk of each District Court in this State for their respective offices, one copy; to the State Prison, and the New Jersey State Hospitals for the Insane, each one copy; to the library of the New Jersey Historical Society, for the use of said society, one copy; to the Burlington Library and the Newark Library Association, for the use of their respective libraries, each one copy; to each incorporated library association in this State which has a law library at the county seat of the county in which the same is located, one copy; to every library provided by the board of chosen freeholders of any county in this State, at the court house in such county, one copy; to the library of every county bar association of this State, one copy; the remainder to be reserved subject to the order of the State House Commission.

Repealer.

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

Approved March 26, 1912.

CHAPTER 155.

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 13 amended.

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

Notice served personally or by publication.

13. Such notice of said order as the Chancellor shall by rule direct shall, within twenty days thereafter, or within such shorter time as the Chancellor shall direct, be served personally on such absent defendant, by a delivery of a copy thereof to him, or be published four times in one or more of the public newspapers printed in this State and designated in such order during four consecutive calendar weeks, at least once in each week; and in case of such publication, a copy of such notice shall be mailed to such defendant, prepaid, directed to him at the post-office nearest his residence, or the post-office at which he usually receives his letters, unless such residence or post-office be unknown and cannot be ascertained upon making such inquiries as the Chancellor may, by rule, prescribe in such case, which said notice shall also be published or served in any other manner that the Chancellor may see proper in the same to direct; the solicitor shall be entitled to one dollar and fifty cents for every notice served or mailed as aforesaid.

Copy mailed.

Solicitor's fee.

2. This act shall take effect immediately.

Approved March 26, 1912.

CHAPTER 156.

An Act requiring reports of industrial accidents to be made to the Department of Labor.

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

All accidents in factories, etc., reported to Commissioner of Labor.

1. Upon the happening of any accident in any employment of labor in this State, the result of which shall be to prevent the injured person or persons from resuming work within two weeks after the happening thereof, the employer of such injured person or persons shall report, in writing, to the Commissioner of Labor the time, place and cause of the said accident, as nearly as the same may be fairly ascertained, the extent of injuries received, and such other facts as the Commissioner of Labor may, by rule or regulation, require. In case of injury not producing death, such report shall be filed within four weeks after the happening of such injury. In case of injury producing death, report shall be filed within two weeks thereafter. Such reports may be forwarded by mail, postage prepaid.

Time for filing report.

Casualty companies to make report.

2. All companies engaged in casualty insurance business within the State of New Jersey shall furnish to the Commissioner of Labor a full and complete report of all accidents to the employes of any person, firm, or corporation insured by them, which prevents such injured person or persons from resuming work within two weeks after the happening of such injury, or which result in death. In case of injury not producing death, such report shall be filed within four weeks after such injuries have been reported to such insurance company, or such insurance company has otherwise gained knowledge thereof. In case of injury producing death, such report shall be filed within two weeks after such death has been reported to such insurance company, or such

Time for filing.

insurance company has otherwise gained knowledge thereof. Such reports shall state the time, place and cause of injury, as nearly as the same may be ascertained, and the extent thereof, and such other and further information as the Commissioner of Labor may, by rule or regulation, require. Such notice may be sent by mail, postage prepaid.

Reports not public.

3. The reports filed with the Commissioner of Labor, in accordance with the provisions of this act, shall not be made public, and shall not be opened to inspection unless, in the opinion of the Commissioner of Labor, some public interest shall so require, and such reports shall not be used as evidence against any employer in any suit or action at law brought by any employe for the recovery of damages, but such reports shall always be at the service and use of the Employers' Liability Commission. Reports filed in accordance with this act shall be in lieu of all other reports required to be filed pursuant to the provisions of an act entitled "An act creating the Employers' Liability Commission and prescribing its powers and duties, and requiring reports to be made by the employers of labor upon the operations of the Employers Liability Law for the information of said commission," approved April twenty-seventh, one thousand nine hundred and eleven, and shall be considered to be compliance with the terms of the last mentioned act.

Report supersedes others.

Penalty.

4. Any corporation, firm or person violating any of the provisions of this act shall for each offense be liable to a penalty of fifty dollars, to be recovered in an action of debt, brought by the Commissioner of Labor, in the name of the State of New Jersey. Each failure to report shall be regarded as a separate offense.

Repealer.

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

Approved March 26, 1912.

CHAPTER 157.

An Act concerning seeds.

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

Seed analyst.

1. The New Jersey State Agricultural Experiment Station is hereby authorized to employ a seed analyst.

Duties.

2. It shall be the duty of the seed analyst to examine and test samples of field, truck, crop, garden or other agricultural and forest seeds collected by him or his deputies or sent to him by citizens of the State of New Jersey, and to determine as far as possible the vitality of the seeds and the character and quantities of impurities present. It shall also be the duty of the seed analyst to make a report to the person or persons sending the samples, and to keep a careful record of the results of said examinations and tests. Said examinations and tests are to be made without charge to the citizens of the State of New Jersey.

Tests published.

3. It shall be the duty of the New Jersey State Agricultural Experiment Station to publish at least one bulletin annually, containing a record of the tests and examinations made by the seed analyst of seeds officially obtained for such purpose.

Appropriation.

Proviso.

4. The sum of two thousand dollars ($2,000) is hereby appropriated for the purposes of this act; *provided,* that no payment shall be made pursuant to this act until the amount shall have been included in the supplemental or regular annual appropriation bill.

5. This act shall take effect immediately.

Approved March 26, 1912.

CHAPTER 158.

An Act to reorganize the government of counties of the first class in this State.

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

Nine freeholders.

1. Boards of chosen freeholders of the counties of the first class of this State shall consist of nine members;

Election and term.

they shall be elected by the voters of said counties at the same time that members of the General Assembly are elected, and shall hold office for three years from the first Monday of January next after their election and

Proviso.

until their successors are elected and qualified; *provided, however,* that the first election under this act shall be held at the time that members of the General Assembly are elected next prior to the expiration of the term or terms of office of the members of the board in office at the time this act goes into effect in any

Arrangement of terms.

county; that at such first election, where the terms of office of all the members of the board expire at the same time, there shall be elected three members for one year, three members for two years and three members for three years, and the ballots voted at such election shall designate which members are to serve for the terms of one, two and three years respectively; that at said first election, where the terms of office of the members of the board expire at different times, there shall be elected three members for three years, and at succeeding elections, where the terms of office of the members of the board expire at different times as aforesaid, there shall be elected three members for the term of three years, and the members so elected from time to time with the members of such board whose terms shall not have expired shall constitute the board of chosen freeholders of such county until all the members thereof are elected under this act.

Organization.

2. The board of chosen freeholders constituted and elected under this act shall meet for organization on the first Monday of January next after the election of the members thereof, and on the first Monday of January of each second year thereafter, and such board shall elect from their own number a director who shall be the presiding officer of said board and shall appoint the standing committees thereof.

Salary.

Oath.

3. Each member of said boards shall receive an annual salary of fifteen hundred dollars in lieu of all fees, expenses and other compensation whatsoever. Before assuming the duties of his office each member of said boards chosen or elected under the provisions of this act, shall take and subscribe an official oath for the faithful performance of the duties of his office, which oath shall be filed in the office of the clerk of said county.

Vacancies.

4. Any vacancy occuring in any of the boards of chosen freeholders constituted or elected under the provisions of this act shall be filled by the remaining members of such board for the remainder of the year in which such vacancy occurred, namely, until the first Monday of January succeeding; and at the first election for members of the General Assembly held after such vacancy occurred, some fit person shall be elected to fill such office for the unexpired term only.

Laws applicable.

5. All laws, public, general, special or private, in force relating to the board of chosen freeholders in any county when this act goes into effect in such county, shall apply to the board of chosen freeholders of such county as the same shall be constituted or elected under the provisions of this act, so far as the same shall not be inconsistent with the provisions of this act, and the board of chosen freeholders of any county constituted or elected under the provisions of this act shall be vested with all the powers, authority, rights and privileges and shall have imposed upon it all the obligations and duties which are vested in or imposed upon the board of chosen freeholders of such county when this act goes into effect in such county, except where inconsistent with the provisions of this act; and all laws,

parts of laws, statutes and parts of statutes, public or private, general or special, in force or in anywise applicable to such board of chosen freeholders of such county when this act goes into effect therein be and the same are hereby in all respects continued in full force and made applicable to the board of chosen freeholders of such county constituted or elected under the provisions of this act, except so far as the same may conflict with or be inconsistent with the terms and meaning of this act.

Extension of term.

6. When the terms of office of the members of the board in any county affected by this act expire on any day other than the first Monday in January, the terms of office of such members are hereby extended to the first Monday in January following the date when in the absence of this act their terms would expire.

Referendum.

7. This act shall take effect immediately, but its provisions shall remain inoperative in any county of the first class in this State until assented to by a majority of the legal voters thereof voting for and against the same, at an election to be held in such county as hereinafter provided, namely: In all counties of the first class this act may be submitted to a vote at any primary election for Presidential delegates, to be held as provided in an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight, and the supplements thereto and amendments thereof, and the provisions of said act and the acts supplementary thereto and amendatory thereof, in so far as practicable, shall apply to said election, when a petition therefor, signed by at least one thousand legal voters of such county, shall have been filed with the clerk of said county, on or before the first day of May in any presidential year, which clerk shall forthwith certify to the various clerks of the municipalities in such county the fact of the filing of such petition and the form of the ballot to be printed by said clerks; and the said election to be held as above set forth shall be deemed, in so far as the question of the acceptance or rejection of the provisions of this act is concerned, to be a special election, and said election shall be conducted by the county board and

When held.

Petition.

district board of registry and election in the same manner as elections are now conducted, and the same notice of the election, and at the same time, shall be given as is required for the primary election to be held on the same day, and the same boxes shall be used for the purposes of this election as are to be used for the purposes of the primary election, except as shall hereinafter be provided, that is to say, that there shall be provided in each polling place in said county, in addition to the boxes now provided by law, a box to be known as the "Non-Partisan Box," and any person entitled to vote at said Presidential primary, and any person who would be entitled to vote at said Presidential primary if he was a member of one of the two political parties for which primary boxes are provided, may vote under this act on said Presidential primary day, and every legal voter who voted at the preceding general election who has changed his residence to another election district since, so as not to be entitled to vote therein, may obtain a transfer from the board of registry and election of the voting district in which he last voted as aforesaid, certifying that the name of the said voter had been checked off on the poll list of such election district as not being entitled to vote therein, and upon filing such certificate in the election district of such voter's residence, such voter shall be entitled to vote under this act, on said Presidential primary day, and said certificate shall be returned with the return of said board, and in all other cases if any voter under the foregoing provisions is not entitled or doubts his right to vote under this act on Presidential primary day, he may apply to a judge of the Court of Common Pleas of the county for a certificate entitling him to vote, which judge, on said application, shall hear the matter in a summary manner, and if he finds that said applicant is a legal voter of the county, he shall issue a certificate under his hand, addressed to the board of registry and election of the election district in which such voter resides, directing said board to permit the applicant to vote under this act, on Presidential primary day, which certificate shall be returned by said board with its other returns; and the ballot of every voter

Election, how conducted.

Non-partisan box.

Who may vote.

Transfers.

Application to court.

Voting.

who shall not desire to vote in any of the primary boxes, or who is not qualified to vote in any of the primary boxes, shall be placed in the box to be known as the "Non-Partisan Box" and counted by the members of the board of registry and election; and the ballots of those legal voters who shall desire to vote as well under this act as for Presidential delegates, shall be deposited in the primary box that such voter is qualified to vote in after his primary ballot shall have been cast; and the ballots in all the primary boxes and in the "Non-Partisan Box," upon the question of the

Ballots counted.

aceptance or rejection of this act, shall be counted by the members of the board of registry and election, and the members of said board shall ascertain the number of votes in all the boxes in the election district and the number in favor of the acceptance, and the number in favor of the rejection of this act, and place the said facts in their return of the result of the election, held under this act on Presidential primary day.

Providing and distributing ballots.

The ballots to be used under this act at the Presidential primaries shall be provided in the same manner as the primary ballots to be used at the said primary election, and by the same official, and shall be distributed to the different election boards in the same manner and by the same officials, and there shall be distributed sample copies thereof, of a different color, at the same time as are the sample Presidential delegate ballots, and the ballots to be used in voting for the acceptance or rejection of this act shall be numbered from one upward, and there shall be provided twice the number as shall be deemed to be necessary, and the ballots to be used shall be distributed in the polling place, and in no other place and at no other time, and shall conform as nearly as may be possible with the ballot to be used at the primary election, except as to size, and they shall

Proposition stated.

contain the following propositions: "For the law reorganizing the board of freeholders under chapter .... of the laws of one thousand nine hundred and twelve," with a square thereafter, and "Against the law reorganizing the board of freeholders under chapter ..... of the laws of one thousand nine hun-

dred and twelve," with a square thereafter, and underneath the second proposition, in as large a type as the propositions themselves the following: "For or against the act put a cross in the square after the proposition that you favor," and a cross in the square shall be deemed a vote for the proposition opposite to which it shall be placed, and if both propositions are voted for on the same ballot, or no cross be placed in either square, the said ballot shall not be counted for or against the proposition, but a note thereof shall be made upon the return, and the said ballot shall be preserved in the same manner as the other ballots. This act shall be construed to permit every legal voter of the said county, irrespective of his party or lack of party affiliations, to cast a vote upon the question of the acceptance or rejection of the provisions of this act.

All legal voters may vote.

There shall be provided for the use of the boards of registry and election an additional book, to be known as the "Non-Partisan Book," and a record shall be kept therein of each voter who votes in the said "Non-Partisan Box" with the number of the ballot cast by him, and upon the different primary books there shall be kept a record of the voter who voted in one of the primary boxes, with a record of the number of his ballot; the numbers on these ballots shall be placed similarly as they are required to be upon the primary ballots, and the number shall be torn off in the same manner as they are required to be torn from the primary ballots.

Non-partisan book.

Record kept.

This act may also be submitted to a vote at any election for members of the General Assembly, on like petition signed by at least one thousand legal voters of the county and filed with the clerk of the county at least twenty days before the election, whereupon said clerk shall have printed at the foot of all ballots to be voted at said election, both sample and official, the following: "For the law reorganizing the board of freeholders, under chapter ..... laws of one thousand nine hundred and twelve," with a square thereafter, and "Against the law reorganizing the board of freeholders, under chapter ..... laws of one thousand nine hundred and twelve," with a square thereafter, and

May be submitted at fall election.

Question submitted.

underneath the last proposition, in as large type as the propositions themselves, the following "For or against the act put a cross in the square after the proposition you favor," and a cross in the square shall be deemed a vote for the proposition opposite to which it shall be placed, and if both propositions are voted for on the same ballot, or no cross be placed in either square, the ballot shall not be counted for or against the proposition, but a note thereof shall be made upon the return, and the said ballot shall be preserved in the same manner as the other ballots. All voters qualified to vote at such general election shall be entitled to vote for or against said propositions, and the election officers shall count the number of votes cast for or against said proposition. It shall be the duty of the county clerk and the various municipal clerks to give notice of the election by posting and publishing for two weeks prior to such election, in the manner required for posting and publishing notice of election for members of the General Assembly.

Who may vote.

Election notice.

Returns.

Said district boards of registry and elections shall make returns of the election held under this act, in the case of elections hold on Presidential primary day, in the manner provided by law for making returns in cases of special elections, and in the case of elections held on the day for the election of members of the General Assembly, in the manner provided by law for making returns of general elections; and the statements of the results of each election held under this act shall be transmitted by the district boards of registry and elections to the officers designated by law for the purpose, and the votes shall be canvassed and determined by the county board of elections in the manner provided by law for so doing, who shall certify the result to the county clerk.

Chapter given.

In submitting said propositions at either the Presidential primaries or general election, the chapter number of this act shall be inserted in each proposition.

Repealer.

8. All acts and parts of acts, both general and special, inconsistent with this act be and the same are hereby repealed.

Approved March 26, 1912.

CHAPTER 159.

A Supplement to an act entitled "An act concerning public utilities, to create a board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, nineteen hundred and eleven.

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

Free transportation for police of all grades.

1. On and after the passage of this act each street railway company or corporation referred to in the act to which this act is a supplement shall grant free transportation of uniformed public officers while engaged in the performance of their public duties, or police officers of whatever grade or rank acting as detectives, county detectives, or detectives attached to or connected with the office of the prosecutor of the pleas in any county in this State while engaged in the performance of their public duties, whose duties require police duty to be performed without uniform.

2. This act shall take effect immediately.

Approved March 26, 1912.

CHAPTER 160.

An Act to amend an act entitled "An act to amend 'An act to provide for the organization of the New Jersey home for disabled soldiers, sailors, marines and their wives,' approved April twentieth, eighteen hundred and ninety-eight," approved March twenty-third, nineteen hundred.

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

Section 7 amended.

1. Section seven of the aforesaid act shall be amended so as to read as follows:

Terms of admission.

7. No person shall be admitted into the said home as a patient except upon the certificate of a judge of the Court of Common Pleas, upon proof made to his satisfaction by the testimony in writing of a reputable physician, and other evidence that the applicant has been a soldier in the army of the United States or a sailor or marine in the navy of the United States, and been honorably discharged from such service; that he is disabled from a wound or wounds, or from sickness or other disability; that he is necessitous and has not the ability to procure the means sufficient for his comfortable support and necessary care and attendance; that he is now and has been a resident of this State at least seven years immediately preceding the date of his application for admission, which proof shall accompany the said certificate, and the said applicant for admission shall, with the certificate of the judge, present to the commandant a statement in writing, signed by himself, setting forth his name in full, the place of his nativity and of his residence at the time of making such application and at the time of entering the service, his age and occupation, the company and regiment or vessel in which he served, and further, that he or she

will conduct themselves properly and submit to the rules, regulations and discipline of the said home, and that the said soldier's, sailor's or marine's wife was married to him at least twenty-five years prior to the date of his application for admission into the home; *provided, however,* if the said applicant at the time of his application for admission into the home is and has been living separate and apart from his said wife, whether by legal decree or otherwise, for the space of two years prior to his making said application for admission to the home, though not having been married to her for a period longer than two years prior to the date of his application for admission into the home, upon satisfying the board of managers that his separation from his said wife is not wilful on his part, upon fulfilling the requirements as aforesaid, and the board of managers approving his said application, he alone may be admitted to the said home as an inmate. Proviso.

2. This act shall take effect immediately.

Approved March 26, 1912.

CHAPTER 161.

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:*

1. In addition to the powers now given to town councils of towns formed, incorporated or existing under the act to which this is a supplement, to lay out, open, vacate, straighten, extend, widen, alter as to their lines or otherwise change as to their boundaries, streets or sections of streets, streets or sections of streets may be laid out, opened, vacated, straightened, extended, Additional powers as to streets.

widened, altered as to their lines or otherwise changed, as to their boundaries in the following manner:

Council may initiate proceedings.

Whenever the council shall by resolution, adopted by the unanimous vote of all the members of the council, determine that it is to the interest of the town that any street or sections of streets be laid out, opened, vacated, straightened, extended, widened, altered as to their lines or otherwise changed as to their boundaries, the council may of its own motion, initiate a proceeding for such opening, vacating, straightening, extending, widening, altering of lines or otherwise changing as to their boundaries such streets or sections of streets by adopting by the unanimous vote of all of the members of the council a resolution declaring that it favors the improvement therein described and referring the resolution to the commissioners of assessment or the board of assessors in such towns as shall have theretofore lawfully provided for such board of assessors, who shall proceed thereon in the manner hereinafter directed; the commissioners of assessment or the board of assessors shall be assisted in such manner as they shall require by a town surveyor, not interested in the improvement initiated as aforesaid, who shall be appointed for that purpose by the town council in the said resolution; the said commissioners or board of assessors shall make or cause to be made a map or maps showing all the land, 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 or of said board of assessors, will be specially benefited thereby, designating each lot and parcel on said map by letter or number; said commissioners or board of assessors 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 owners by taking the same; and where the estates in any plot

Commission.

Surveyor to assist in preparing maps.

What map to show.

Appraisement.

of land are unknown they shall appraise the value of and the damage done to the fee simple; said commissioners or board of assessors shall also estimate all other expenses likely, in their judgment, to attend the completion of the improvement; said commissioners or board of assessors shall also estimate the amount likely to be realized from the sale of any building, or parts of building 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 porportion to the benefit to be received and no lot or parcel of land shall be assessed more than it is so specially benefited; thereupon they shall, under their hands, make a report of the facts ascertained and of the appraisements, estimates, determinations 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 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; the town clerk of said town 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

Expenses estimated.

Assessment for benefits.

Notice of hearing on objections.

Notices posted.

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 unless 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 or board of assessors; *provided, however,* that the said council shall not proceed to make any such improvements if the owners of the property, subject to more than two-thirds of the assessments for the improvement shall remonstrate against the same being made, unless the said town council by a unanimous vote of all of the members of the town council shall determine to make such improvement notwithstanding such remonstrance and shall, by unanimous vote of all of the members of the town council, pass an ordinance ordering said improvement as aforesaid; after the passage of said ordinance, 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 such 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 or board of assessors shall have reported the name or estates of the owners of any plot as unknown, the said resolution shall direct the sum of the awards on account of such plot to be paid to

Proviso.

Proviso.

Proviso.

the owners thereof, when and as their interest may appear, and any such owner or persons interested in said land may, by bill in Chancery, according to the practice of that court have the said sum distributed either in whole or in part paid over to him as law and justice may require; whenever, however, by the report and map of the said commissioners or board of assessors, corrected as aforesaid, it shall appear that an award has been made to any person for property taken or damages sustained and that such person is also assessed for benefits received on account of the same improvement, then if the assessment equal or exceed the award, no payment shall be made on account of such award; and if the award exceed the assessment, only so much of the award as is in excess shall be paid, and the resolution of the council ordering the awards to be paid shall be framed accordingly; and when the amount to be assessed shall be finally determined, such amount shall be set off against the amount of the award unpaid; and if the amount of the award unpaid be in excess, the assessment shall be canceled, and such excess only shall be paid to the person to whom the award is made; and if the amount of the assessment be in excess, the award unpaid shall be canceled, and such excess only shall be a lien upon the property assessed; the rest of the award or assessment, as the case may be, being also canceled. After the completion of said improvement, the said commissioners or board of assessors shall ascertain or determine the actual net cost thereof, and shall assess such actual net cost upon the lands specially benefited in proportion to the benefits received as herein provided; and whenever any person who shall have presented objections as aforesaid to an award, shall be dissatisfied with the determination of the council, such person may commence and maintain an action against the said town in form and manner as provided by section sixty-three of the act to which this act is a supplement; and whenever the improvement herein provided for is initiated by unanimous resolution of the town council as aforesaid, it shall not be necessary to have presented to the

Settlement of awards.

Net cost determined.

Dissatisfied parties may bring action.

Resolution takes place of petition.

New Jersey State Library

council any petition in writing, setting forth the improvement desired and that the signers thereof are owners of land situate within the town which shall be specially benefited by the proposed improvement, nor shall it be necessary in the case of such proceeding to require the deposit with the town treasurer of any sum of money and the commissioners of assessment or the board of assessors shall proceed in the manner aforesaid without any certificate from the town treasurer that any sum of money has been deposited with him, but such resolution so adopted by the unanimous vote of all the members of the council shall take the place of such petition and shall be a waiver of the requirement of the deposit of any sum of money with the town treasurer.

Total cost determined and assessment made.

2. The cost and expense of laying out, opening and vacating, straightening, extending, widening, altering as to their lines, or otherwise changing as to their boundaries, streets or sections of streets, and after completion thereof the whole cost of any of the aforesaid improvements, shall be ascertained and determined by the commissioners of assessment or board of assessors, as the case may be, and such cost and expense shall, so far as the same can be, be assessed upon the land and real estate specially benefited by the improvement, in proportion to the benefits received, and no lot or parcel of land shall be assessed more than it is so specially benefited, and if the total cost of any of the aforesaid improvements shall exceed the aggregate assessable special benefits, the excess shall be borne and paid by the town at large; *provided, however,* if the owners of property subject to more than two-thirds of the assessments for the improvement shall at the hearing before the town council, provided for in section one of this act, remonstrate against the said improvement being made, the town council shall, in any ordinance ordering said improvement, provide that one-third of all the assessable benefits for said improvement shall be paid by the town at large in addition to the excess of the total cost of the aforesaid improvement over the aggregate assessable special benefits, and the commissioners

Proviso.

Proportionate division of liabilities.

of assessment or board of assessors and the town council shall, in making, levying and collecting such last mentioned assessment, in all things conform to the requirements of the act to which this is a supplement, and upon the final confirmation of any such assessment where the aforesaid ordinance shall provide that one-third of all the assessable benefits shall be paid by the town at large, each such assessment shall be collectible to the extent and shall be a lien on the land to only the amount of the two-thirds thereof and the remaining one-third shall be paid by the town at large.

3. This act shall take effect immediately.

Approved March 26, 1912.

CHAPTER 162.

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

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

As to contracts.

1. No insurance company or association of underwriters or Lloyds in doing business in this State, and no officer, agent, solicitor or representative thereof, and no broker negotiating any insurance in this State, shall make any contract of insurance, or agreement as to such contract, other than as plainly expressed in the policy issued thereon concerning the term of policy, and the premium consideration thereof; nor pay, allow or give, or offer to pay, allow or give, directly or indirectly, as inducement to insurance, or after the insurance shall have been effected, any rebate, discount, abatement or reduction of the premium named in the

No rebates given by insurer.

policy of insurance, or any special favor or advantage in the dividends or other benefits to accrue thereon, or any valuable consideration or inducement whatever, not specified in the policy contract of insurance; but commissions or other compensation may be paid to regularly appointed and licensed agents, and to brokers duly licensed by this State.

Insured not to accept rebate.

2. Neither the insured named in any policy of insurance, nor any employee of such insured, shall knowingly receive or accept, directly or indirectly, any such rebate, discount, abatement or reduction of the premium payable on any policy of insurance, as therein expressed, or any special favor or advantage in the dividends or other benefits to accrue thereon, or any valuable consideration or inducement whatever, not specified in the policy contract of insurance.

As to automatic sprinklers.

3. Nothing in this act shall be construed as prohibiting the performance of any contract heretofore or hereafter made, for the introduction of automatic sprinklers for reducing the risk by fire on any property located in this State, and containing provisions for obtaining or guaranteeing insurance against loss or damage by fire or water, for a specified time, at a fixed rate.

Application of act.

4. This supplement shall not apply to any contract of life insurance, nor to any contract of insurance upon or in connection with marine or transportation risks or hazards other than contracts for automobile insurance, nor to contracts of insurance upon property located without this State, nor to any contract of title or credit insurance, nor to any contract of insurance upon the mutual plan, nor to any contract of insurance issued by any fraternal society.

Penalty.

5. Whoever violates any provision of this act, shall, for each and every offense, forfeit and pay the sum of one hundred dollars, such penalty to be sued for and recovered, with costs, in an action on contract in the nature of an action for debt, in any court of competent jurisdiction in the county wherein the offense shall have been committed, or in any county wherein such offender may reside or be served with process by any person who shall sue for the same; one-half of such penalty shall

be for the benefit of the person prosecuting the suit, and the other half shall be paid to the State Treasurer, and in case the defendant in any suit shall not pay the amount recovered against him, it shall be lawful for such court in which such judgment has been obtained to issue its process against the body of the defendant and to cause him to be committed to the jail of the county until the judgment and costs are paid; the imprisonment, however, not to exceed thirty days from the date of such commitment. Any insurance agent or broker who violates any provision of this act shall also forfeit his license and be disqualified from acting as an insurance agent or broker for the period of one year thereafter.

Disposition of penalty recovered.

Agent to forfeit license.

Approved March 26, 1912.

CHAPTER 163.

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, making it a misdemeanor to contribute or cause a child to become a delinquent.

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

1. In all cases when a child shall be held to be a delinquent child or a juvenile delinquent person, as defined by the statutes of this State, the parent or parents, legal guardian or person having the custody and control of such child, or any other person willfully responsible for, or who, by any continued negligence or willful act or acts, encourage, cause or contribute to the delinquency of said child, shall be guilty of a misdemeanor.

Misdemeanor to contribute to delinquency of children.

Approved March 26, 1912.

CHAPTER 164.

An Act to enable towns to regulate the salaries of certain officers.

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

Salary of town council.

1. In any town, now or hereafter having a population of twenty thousand or more, the salary or compensation to be paid to each of the members of the town council or other legislative or governing body, may, be the sum of five hundred dollars ($500) annually, to be paid in such manner as said town council or other legislative or governing body may by resolution or ordinance determine.

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 26, 1912.

CHAPTER 165.

An Act to amend 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:*

Section 40 amended.

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

Ordinance for proposed improvement certified to board of assessment.

40. Whenever the city council determines as herein provided, to construct any sewer or drain, or to lay out or open a public street, road, highway, alley, park or other public place, or to cause any public street, road, highway, or alley to be vacated, straightened, widened, extended or otherwise changed as to its boundaries or location, the city council shall, upon the adoption of an ordinance for such purpose, cause a certified copy thereof to be delivered to the board of assessments.

Map made.

Upon receipt thereof, it shall be the duty of the board of assessments to procure a map to be made by the city engineer or under his direction, showing the land to be taken therefor, if any, and the property which in the judgment of the said board will be specially benefited by such improvement, designating each lot and parcel on said map by letter or number. Said board shall also ascertain, so far as practicable, the names of the owners of said land to be taken and of all persons having any interest therein or liens thereon, and when such names or estates or interests are not known they shall so report. They shall also appraise the value of the interest of each owner of said land and of all others interested therein, and assess the damage of such persons by reason of the taking of the same; and where the estate or interest in any of the land to be taken is unknown, they shall appraise the value of or the damage done to the fee simple. Said board shall also estimate all other expenses likely, in their judgment, to attend the completion of the improvement; said board 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 so determine the probable net cost of making such improvement; this probable net cost they shall then assess upon the lands to be specially benefited, to the extent of such benefits received, in proportion to the benefit to be received. Thereupon they shall make a report, signed by them or any two of them of the facts ascertained and of the appraisements, estimates, determinations and assessments made by them

Owners' names.

Appraise and assess damages.

Estimate expenses.

Assessment for benefits.

Report

concerning said improvement, and shall file such report and their map with the city clerk. Thereupon the city clerk shall cause a notice of the filing of said map and report to be printed in two successive weekly issues of the official newspapers, which notice shall contain a general description of the proposed improvement, and shall state the time and place when and where the city council will meet to consider any objections to said report or to the improvement. The city clerk shall also, within said period, mail a copy of such notice to all persons whose names and addresses appear upon the tax books of the city as owning land affected by such improvement, but the failure of the city clerk to mail such notice shall not invalidate any of the proceedings; and all objections made at such time and place the city council shall then consider; *provided,* that if written objection to such improvement shall be made by the owners of three-fourths or more of the land in lineal feet frontage thereon, assessed for such improvement, no further proceedings shall be taken under such resolution or ordinance.

Notice of hearing objections to map and report.

Notice mailed.

Proviso.

At such time the city council may correct the awards, and shall confirm said awards, with the corrections, if any, and shall pass a resolution or ordinance ordering said improvement to be made and completed in such manner as the city council may direct; and the city council shall direct that the said report, with the corrections, if any, shall be filed with the city clerk; and the said city council shall also pass a resolution directing the several sums awarded to be paid to the persons to whom the awards are made for the lands taken, and upon the passage of such resolution the fee simple of said lands shall be vested in the city; *provided,* that where the said board shall have reported the names or estates of the owners of any plot as unknown, the said resolution shall direct the amount of the award on account of such plot to be paid to the persons entitled thereto when and as their interest may appear, and any such owner, or person interested in said plot of land may, by bill in Chancery, according to the practice of that court, have the said amount

Hearing and action.

Resolution directing awards.

Proviso.

awarded distributed in whole or in part and paid over to them, as law and justice require.

Assessment upon completion of improvements.

After the completion of any such improvement the board of assessments shall ascertain and determine the actual cost and expense thereof, and such cost and expense they shall assess upon the lands specially benefited by the improvement, so far as the same are so benefited, in proportion to the benefits received. The said board shall make a report of such assessments and shall file the same with the city clerk, which report shall be accompanied by a map showing what lots or parcels of land are specially benefited by the improvement, the amount assessed as such benefits upon each lot or parcel of land and the names of the owners of the several lots or parcels of land assessed, so far as the board can ascertain the same, and no assessment shall be defective by reason of any mistake or omission in the names of the owners of any land assessed. Upon the filing of such report and map the city clerk shall notify the city council, and thereupon the city council shall fix a day and time, not less than fifteen and not more than thirty days distant, when it will meet to consider such report and map, and the city council shall cause a notice to be published in the official newspapers at least two weeks prior to the date of such meeting, stating that the final report and map of the board of assessments with respect to the improvement (designating it in general terms) has been received, and that the city council will meet on the certain day and time, fixed as aforesaid, to consider the same and hear objections thereto. After considering such report and map, and after hearing such objections thereto as may be presented, the city council at any time thereafter may confirm said report and map as presented, or with corrections made by it or said board, to whom the same may be referred by the city council for revision or correction.

Notice of hearing on map and report of assessment.

Confirmation reported to collector of taxes.

After such confirmation the said report and map, together with a copy of the resolution confirming the same, certified to be correct by the city clerk, shall be delivered to the collector of taxes; and the assessments

so levied upon the lands specially benefited shall thereupon be due and payable and shall become liens upon the lands assessed as hereinafter provided.

Right of appeal to circuit court.

Any person aggrieved by any such award of damages or assessments may, within thirty days from the date of the confirmation of the same, appeal therefrom to the Circuit Court of the county, in which such city is located; any person desiring to make any such appeal shall present a petition of appeal, which shall contain a concise statement of the award or assessment appealed from and of the reasons relied upon by the appellant for the setting aside or modification thereof.

Hearing on appeal.

Upon the presentation of any such petition of appeal the said Circuit Court shall proceed to hear and determine the said appeal in a summary manner, and shall have power to affirm, increase or otherwise modify any award of damages, to set aside, reduce or otherwise modify any assessment, or to affirm the same.

Action by court.

Such notice of the presentation and filing of any such petition of appeal and of the hearing thereon shall be given as the said Circuit Court shall direct; at the hearing of such appeal the parties and their witnesses shall be heard, or the court may direct that the testimony to be used at the hearing shall be taken before a master in chancery or Supreme Court Commissioner, and fix the terms and directions with respect to the taking of such testimony.

Judgment.

The judgment of said court upon any such appeal shall be entered on the minutes of the court and a certified copy thereof shall be served upon the city clerk of the city; and thereupon the award of damages, or assessment appealed from shall be set aside, changed, modified or affirmed as in such judgment directed.

If awarded increased, city to pay.

In the event that any award of damages is increased by the judgment of said court on appeal it shall be the duty of the governing body of the city to pay such increase on demand to the person to whom such increase is awarded thereby.

Effect of appeal.

No award of damages or assessment shall be in anywise affected by an appeal therefrom except as to the award made in favor of, or assessment against, the person taking an appeal as herein provided.

Such assessment shall be payable in ten equal instalments; the first instalment shall be due and payable at or before the expiration of thirty days after the confirmation of the assessment, and the others in one, two, three, four, five, six, seven, eight and nine years after the date of such confirmation, respectively; to the second and each subsequent instalment shall be added interest at the rate of five per centum per annum on the unpaid balance of the assessment computed from the date of the confirmation of the assessment to the date when such instalment is made payable as above provided; in case any instalment of such assessment be not paid when the same is due and payable, then interest upon such instalment shall thereafter be computed, paid and collected at the rate of seven per centum per annum. Such assessment, with the interest, shall be a first lien upon the land assessed from and after the date of the confirmation of the assessment, and shall remain a first lien thereon until paid, notwithstanding any devise, descent, alienation, mortgage or other encumbrance thereof, and shall be enforced and collected, by the sale of the land, in the same manner as is provided by law for the enforcement and collection of taxes by the sale of the land against which the same are levied or assessed; *provided, however,* that the owner of any property assessed may, at his option, pay the whole of the assessment, without interest, within thirty days from the date of its confirmation or thereafter may pay the whole of the assessment or the entire balance thereof then remaining unpaid, with interest to the day of payment, in satisfaction of such assessment.

Assessments payable in installments.

Interest added.

Assessment a lien.

Proviso.

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

Section 41 amended.

41. Whenever the city council determines to cause the whole or any part of any street, road, highway, alley or other public place to be graded or regraded, paved or repaved, curbed or recurbed, guttered or reguttered, flagged or reflagged, drained or underdrained, or the roadway or sidewalk thereof to be other-

Improvement of streets, etc.

wise improved, the city council shall, after the completion thereof, cause a certified copy of the ordinance adopted providing for such improvement to be delivered to the board of assessments.

Cost ascertained.

The board of assessments, upon the receipt of such ordinance, shall ascertain and determine the actual cost and expense of such improvement, and such cost and expense they shall assess upon the lands specially benefited by the improvement, so far as the same are so benefited, in proportion to the benefit received. The said board shall make a report of such assessments and shall file the same with the city clerk, which report shall be accompanied by a map made by the city engineer or under his direction, showing what lots or parcels of land are so benefited by the improvement, the amount assessed as such benefits upon each lot or parcel of land and the names of the owners of the several lots or parcels of land assessed, so far as the board can ascertain the same, and no assessment shall be defective by reason of any mistake or omission in the names of the owners of any land assessed. Upon the filing of such report and map the city clerk shall notify the city council, and thereupon the city council shall fix a day and time, not less than fifteen and not more than thirty days distant, when it will meet to consider such report and map; and the city council shall cause a notice to be published in the official newspapers at least two weeks prior to the date of such meeting, stating that the report and map of the board of assessments with respect to the improvement (designating it in general terms) has been received, and that the city council will meet on the certain day and time, fixed as aforesaid to consider the same and hear objections thereto. After considering such report and map, and after hearing such objections thereto as may be presented, the city council, at any time thereafter, may confirm said report and map as presented, or with corrections made by it or said board, to whom the same may be referred by the city council for revision or correction.

Assessment for benefits.

Report and map.

Notice to consider may and report.

Action by council.

Assessment certified to tax collector.

After such confirmation the said report and map, together with a copy of the resolution confirming the same, certified to be correct by the city clerk, shall be delivered to the collector of taxes; and the assessments so levied upon the lands specially benefited shall thereupon be due and payable and shall become liens upon the lands assessed as hereinafter provided.

Right of appeal.

Any person aggrieved by any such assessment, may within thirty days from the date of the confirmation of the same, appeal therefrom to the Circuit Court of the county in which such city is located; any person desiring to make any such appeal shall present a petition of appeal, which shall contain a concise statement of the assessment appealed from and of the reasons relied upon by the appellant for the setting aside or modification thereof.

Summary action by court.

Upon the presentation of any such petition of appeal the said Circuit Court shall proceed to hear and determine the said appeal in a summary manner and shall have power to increase, set aside, reduce or otherwise modify any assessment, or to affirm the same.

Court may order testimony taken.

Such notice of the presentation and filing of any such petition of appeal and of the hearing thereon shall be given as the said Circuit Court shall direct; at the hearing of such appeal the parties and their witnesses shall be heard or the court may direct that the testimony to be used at the hearing shall be taken before a Master in Chancery or Supreme Court Commissioner and fix the terms and directions with respect to the taking of such testimony.

Judgment certified.

The judgment of said court upon any such appeal shall be entered on the minutes of the court and a certified copy thereof shall be served upon the city clerk of the city; and thereupon the assessment appealed from shall be set aside, reduced, modified or affirmed as in such judgment directed.

Effect of appeal.

No assessment shall be in anywise affected by an appeal therefrom except as to the assessment against the person taking an appeal as herein provided.

Assessments payable in installments.

Such assessment shall be payable in ten equal instalments; the first instalment shall be due and payable

at or before the expiration of thirty days after the confirmation of the assessment, and the others in one, two, three, four, five, six, seven, eight and nine years after the date of such confirmation, respectively; to the second and each subsequent instalment shall be added interest at the rate of five per centum per annum on the unpaid balance of the assessment computed from the date of the confirmation of the assessment to the date when such instalment is made payable as above provided; in case any instalment of such assessment be not paid when the same is due and payable, then interest upon each instalment shall thereafter be computed, paid and collected at the rate of seven per centum per annum. Such assessment, with the interest, shall be a first lien upon the land assessed from and after the date of the confirmation of the assessment, and shall remain a first lien thereon, until paid, notwithstanding any devise, descent, alienation, mortgage or other incumbrance thereof and shall be enforced and collected, by sale of the land, in the same manner as is provided by law for the enforcement and collection of taxes by the sale of the land against which the same are levied or assessed; *provided, however,* that the owner of any property assessed may, at his option, pay the whole of the assessment, without interest, within thirty days from the date of its confirmation or thereafter may pay the whole of the assessment or the entire balance thereof then remaining unpaid, with the interest to the day of payment, in satisfaction of such assessment.

Interest added.

Assessment a lien.

Proviso.

Approved March 26, 1912.

CHAPTER 166.

AN ACT to enable towns having a population of twenty thousand or more to annually fix the salary of the chief of the fire department.

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

Salary for chief of fire department.

1. Any town now or hereafter having a population of twenty thousand or more, may, through its common council or other governing body, by ordinance annually fix the salary to be paid to the chief of the fire department of such town at not less than six hundred or more than one thousand dollars, notwithstanding his term of office may have been fixed by law for a longer period, and notwithstanding any limitation in the salary to be paid to such officer as heretofore fixed in any law applicable to such town.

2. This act shall take effect immediately

Approved March 26, 1912.

CHAPTER 167.

An Act to enable towns having a population of twenty thousand or more to annually fix the salary of the recorder or police justice.

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

Salary of recorder.

1. Any town now or hereafter having a population of twenty thousand or more, may, through its common council or other governing body, by ordinance annually

fix the salary to be paid to the recorder or police justice of such town at not less than six hundred or more than one thousand dollars, notwithstanding his term of office may have been fixed by law for a longer period, and notwithstanding any limitation in the salary to be paid to such officer as heretofore fixed in any law applicable to such town.

2. This act shall take effect immediately.

Approved March 26, 1912.

CHAPTER 168.

An Act to enable towns having a population of twenty thousand or more to annually fix the salary of the overseer of the poor.

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

Salary of overseer of the poor.

1. Any town now or hereafter having a population of twenty thousand or more, may, through its common council or other governing body, by ordinance annually fix the salary to be paid to the overseer of poor of such town at not less than six hundred or more than one thousand dollars, notwithstanding his term of office may have been fixed by law for a longer period, and notwithstanding any limitation in the salary to be paid to such officer as heretofore fixed in any law applicable to such town.

2. This act shall take effect immediately.

Approved March 26, 1912.

CHAPTER 169.

An Act to authorize any town in this State to pass ordinances and fix appropriations for the general and incidental expenses of the town and to provide for the raising of the same by taxation.

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

Appropriation for town expenses.

1. The governing body of any town in this State is hereby authorized and empowered to pass an ordinance or ordinances for the appropriation of and to appropriate annually such sum or sums of money as shall be necessary for all the general and incidental expenses of said town, including the support and maintenance of the free public schools of said town, for the then current year, and the money or moneys so appropriated or such part thereof as in the judgment of said governing board shall be necessary, shall be raised by taxation. No ordinance for the purpose aforesaid shall be passed by the governing body of any such town unless the same shall have been introduced at a previous stated meeting and shall have been passed by a majority of the members of said governing board, and no such ordinance shall take effect until five days after it shall have been published in the official newspaper of the town, and if there be none in at least one newspaper published in the county and circulating in the town.

As to ordinances

2. This act shall take effect immediately.

Approved March 26, 1912.

CHAPTER 170.

A Supplement to an act entitled "An act to further amend an act entitled 'An act relating to the Court of Common Pleas (Revision of 1900),'" approved March twenty-third, one thousand nine hundred, which act was amended by an act approved March thirty-first, one thousand nine hundred and two, and further amended by an act approved June twenty-second, one thousand nine hundred and six, and further amended by an act approved June eleventh, one thousand nine hundred and seven, and further amended by an act 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:*

Salary of judge.

1. Whenever the population of any county in this State, as ascertained by any State or federal census, is more than sixty-five thousand and less than one hundred thousand inhabitants, the annual salary of the judges of the Court of Common Pleas of said county shall be four thousand five hundred dollars, and such salary shall be payable in monthly installments by the county collector of such county, in lieu of all fees and allowances, which fees shall be paid into the county treasury. Such annual salary shall be determined and paid without regard to the date of the appointment of any such judge, whether he may now be in office or whether his term shall hereafter commence; *provided,* he shall consent thereto and to this act in writing under his hand and shall file such consent in the office of the county clerk of the county for which he is appointed; *and further provided,* that this act shall only apply to such judges as may so file their consents.

Proviso.

Proviso.

Act how construed.

2. This act shall not be interpreted or construed as repealing or affecting the provisions of chapter one hundred and forty-nine of the laws of one thousand nine hundred, or of chapter two hundred and forty-two of the laws of one thousand nine hundred and three, or of chapter one hundred and eight of the laws of one thousand nine hundred and four, or of chapter one hundred and forty-one of the laws of one thousand nine hundred and five, or of chapter two hundred of the laws of one thousand nine hundred and eight.

3. This act shall take effect immediately.

Approved March 26, 1912.

CHAPTER 171.

An Act to provide for branding and labeling of mattresses, bed-springs, cots, lounges or sofas, and to regulate the use of materials in the manufacture of the same, and to regulate the sale of the same, and to provide a penalty for violation thereof.

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

Use of second-hand materials from hospitals.

1. No person, firm, company or corporation shall use, in whole or in part, in the manufacture of mattresses, bed-springs, cots, lounges or sofas, any cotton, wool or other material which has been used in or has formed part of any mattress, bed-spring, cot, lounge or sofa used in or about a public or private hospital or about any person having infectious or contagious diseases.

Mattresses for sale to be marked.

2. No person, firm, company or corporation shall sell or offer for sale, deliver or have in his possession with intent to sell or deliver, any mattress, bed-spring, cot, lounge or sofa which is not branded or labeled as

hereinafter provided, or which is falsely branded or labeled.

Wording of brand or label.

3. The brand or label required by the next preceding section shall, if the materials used in the manufacture of the article to which it is to be attached are entirely new, contain in plain print, in the English language, in large type, the following: "The materials used in the manufacture of this mattress" (or other article) "are entirely new"; if the materials used are in whole or in part second-handed, the brand or label shall contain in plain print, in the English language, in large type, the following statement: "The materials used in the manufacture of this mattress" (or other article) "are in whole or in part second-handed"; which statement must be followed by a specific enumeration and description of the second-hand materials used. Such brand or label shall be in the form of a cloth tag, and shall be sewed or otherwise securely attached to said article, and shall be in size not less than two and one-half by three inches.

Definition.

The term "second-handed" as above used shall be held to include any material which has been used before in any of the articles above enumerated or in any article of household or wearing apparel, however afterwards treated.

Mattress defined.

4. A mattress within the meaning of this act shall include any quilted pad, stuffed with hair, wool or other soft material, except feathers, to be used on a bed for sleeping or reclining purposes.

Penalty.

5. Any person, firm, company or corporation violating any provisions of the above act shall be guilty of a misdemeanor.

Approved March 26, 1912.

CHAPTER 172.

A Supplement to "An act to constitute commissioners of county sinking funds," approved June second, one thousand eight hundred and ninety-six.

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

1. Each of the sinking fund commissioners appointed, and hereafter to be appointed, pursuant to the provisions of the act to which this is a supplement, shall enter into a bond to said county, with two sureties, being freeholders and residents in the county, or with a surety company in the penal sum of not less than twenty-five thousand dollars, conditioned for the faithful performance of the duties of his office as such commissioner according to law, which bond shall be approved as to form and sufficiency by the justice of the Supreme Court sitting in the Circuit Court of the county wherein such commissioners shall be appointed. The premiums on each bond, if any, shall be paid by the board of chosen freeholders of such county. Give bond. Amount.

2. This act shall take effect immediately.

Approved March 26, 1912.

CHAPTER 173.

An Act authorizing the appointment of a commission to inquire as to the practicable extension of navigation in the Passaic river between the cities of Passaic and Paterson and making appropriation for incidental expenses.

Preamble.

WHEREAS, The development of the inland water ways of this State is of vital importance to the commercial prosperity of the citizens of New Jersey; and

WHEREAS, The Passaic river has been made navigable and is so maintained by the Federal Government from the Newark bay to the city of Passaic; and

WHEREAS, Said river is made navigable from the city of Passaic to the city of Paterson would give additional transportation facilities to a large population engaged in commercial pursuits.

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

Commission on navigation of the Passaic river.

1. The Governor is hereby authorized to appoint a commission of five persons, citizens of New Jersey, to inquire into and ascertain (1) what benefits, if any, would accrue to the commercial interests of the State if the Passaic river were made navigable from the city of Passaic to the city of Paterson; (2) what surveys, if any, of said river between the cities aforesaid, have been made by the Federal Government, and what estimates, if any, have been made of the cost of making said part of said river navigable; (3) and generally to investigate the need and advisability of improving said river for the purpose of navigation; and the existence of any obstacles to the making of such improvement.

Report.

Said commission shall report their findings to the next Legislature, together with their opinion as to the advisability of the State causing further surveys of said river to be made between the cities aforesaid. The

said commission shall elect one of its members president and one member as secretary. Organization.

2. 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. Expenses met. Appropriation.

3 This act shall take effect immediately.

Approved March 26, 1912.

CHAPTER 174.

An Act to amend an act entitled "An act for the settlement and relief of the poor (Revision of 1911)," approved April twenty-first, one thousand nine hundred and eleven.

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

1. Sections seven, eight and twenty-one of an act entitled "An act for the settlement and relief of the poor (Revision of 1911)," approved April twenty-first, one thousand nine hundred and eleven, be and the same are hereby amended so as to read as follows: Sections 7, 8, 21 amended.

7. Overseers shall, annually and at such other times as may be required by the governing bodies of their respective municipalities or townships, make to said governing body a report in writing, which report shall be a summary of the entries in the books mentioned in the last preceding paragraph for the period covered by said report. The annual reports of the overseers, as herein provided for, shall be made at the first regular meeting of said governing body in each year. Overseers to make annual report.

Appointment and term.

8. Overseers of the poor shall be appointed by the municipal governing body at the first annual meeting after the passage of this act, and shall hold office for five years; providing that the term of office hereby fixed shall not repeal any existing statute providing for a longer term; they may be removed by such governing body for misconduct or incompetency upon written charges, and after hearing, due notice of which shall be given such overseers.

Eligibility of women.

Females of full age shall be eligible to appointment as overseers in all municipalities having less than twenty-five thousand inhabitants.

Must be citizen.

No person shall be elected or appointed an overseer unless he or she be a citizen of this State and a resident of the municipality for which he or she may be appointed for at least one year, and unless such appointee be able to read and write the English language.

Salary.

Overseers of the poor shall receive such salaries as may be fixed by their respective governing bodies; the salaries thereby fixed, or to be fixed, in pursuance of this act shall be in lieu of all fees, but they shall be allowed their necessary expenses, incurred in the discharge of their duties.

Assistants.

In cities of the first class the governing body may appoint an assistant or deputy overseer and such other assistants, clerks, visitors and nurses as in their judgment may be expedient and fix their respective salaries; the salaries so fixed shall be in lieu of all fees. Such deputies, assistants, clerks, visitors and nurses shall hold office until removed.

Duty in case of non-resident.

21. It shall be the duty of the overseer of the poor, on complaint made to him that any person not an inhabitant of his municipality is lying sick therein, or in distress, without friends or money, so that he or she is likely to suffer, to examine into the case of said person and grant temporary relief as may be required; and if any person shall die in any municipality, who shall not leave money or other means necessary to defray his or her funeral expenses, it shall be the duty of the overseer of the poor of such municipality to provide some person to provide for and superintend the burial

of such deceased person, the necessary and reasonable expenses thereof not to exceed the sum of twenty-five (25) dollars, shall be paid by the municipality and upon the order of such overseer.

2. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 175.

An Act to amend an act entitled, "An act concerning railroads" (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 fifty-eight of an act entitled "An act concerning railroads" (Revision of 1903), approved April fourteenth, one thousand nine hundred and three, be and the same is hereby amended so as to read as follows: Section 58 amended.

58. All action accruing from injuries to persons caused by the wrongful act, neglect or default of any railroad company owning or operating any railroad within this State, shall be commenced and sued within two years next after the cause of action accrued, and not after; actions by an executor or administrator for injuries causing the death of the testator or intestate shall be commenced and sued within two years next after the death, and not after; all actions for injury done to any property by fire communicated by an engine of any railroad company or any railroad within this State shall be commenced and sued with two years after the cause of action accrued, and not after. Time for bringing action for damages.

2. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 176.

An Act providing for an exhibition and celebration in Philadelphia to commemorate the fiftieth anniversary of the Emancipation Proclamation; creating a commission to conduct same, and making an appropriation therefor.

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

Commission on Emancipation anniversary.

1. The Governor is hereby authorized to appoint a commission, composed of seven persons, three of whom shall be colored persons, whose duty it shall be to arrange for and conduct, for the State of New Jersey, during the first week in September, one thousand nine hundred and thirteen, in the city of Philadelphia, an exhibition and celebration to commemorate the fiftieth anniversary of the Emancipation Proclamation.

Objects.

Such exhibition and celebration shall be so conducted as to show the industrial, educational and religious progress of the colored inhabitants of this State.

Expenses met.

The commission shall serve without compensation; but shall be allowed such expenses for travel, clerical help, stenographers, etc., as shall be actually and necessarily incurred in the performance of its duties.

Appropriation.

2. To carry out the purposes of this act, the sum of twenty thousand dollars, or so much thereof as may be necessary, is hereby specifically appropriated.

3. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 177.

An Act requiring municipalities of this State situated on waters included within the port of New York, that is to say, the North river, the New York bay, the Kill von Kull, the Arthur Kill, the Raritan bay, the Hackensack and Passaic rivers and the Newark bay, where the tide ebbs and flows, to report improvements made upon lands of the State beneath such waters to the commission appointed pursuant to Joint Resolution number three, approved March twenty-ninth, one thousand nine hundred and eleven.

Preamble.

WHEREAS, It is necessary that the commission appointed pursuant to Joint Resolution number three, approved March twenty-ninth, one thousand nine hundred and eleven, should be informed of all changes in the nature of improvements made by the municipalities of this State situated upon waters included within the port of New York, in order that the purposes for which the said commission was appointed may be properly executed.

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

Municipalities to report contemplated improvements to commission.

1. The governing body of any municipality of this State situated upon any of the waters embraced within the confines of the port of New York, that is to say, the North river, the New York bay, the Kill von Kull, the Arthur Kill, the Raritan bay, the Hackensack and Passaic rivers and the Newark bay, where the tide ebbs and flows therein, shall, before making any municipal improvements upon the lands under water within the jurisdiction of this State, file the plans of such improvements, together with such other information as may be required by the said commission, with the commission appointed

pursuant to Joint Resolution number three, approved March twenty-ninth, one thousand nine hundred and eleven.

Purpose.

2. Nothing herein contained shall be held to prevent the making of such improvements without the consent of the said commission previously obtained, it being the purpose of this act only to require that the commission shall be informed of the nature and extent of the improvements to be made.

Repealer.

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

Approved March 27, 1912.

CHAPTER 178.

An Act for the protection of deer.

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

Season for wild deer.

1. It shall be unlawful for any person to hunt for, pursue, shoot at, take, kill, wound, or attempt to take, kill or wound any wild deer in this State, except from the first day of November to the fifth day of November, both dates inclusive of each year, or to kill in any one year more than one deer, under a penalty of one hundred dollars for each offense. It shall be unlawful at all times hereafter for any person to hunt for, shoot at, take, kill or wound, or attempt to take, kill or wound any doe or deer, except a deer having horns visible above the hair, under a penalty of one hundred dollars for each offense.

Does.

Season and protection of deer.

2. It shall be unlawful to have in possession in this State any deer, except from the first day of November to the fifth day of November, both dates inclusive of each year, under a penalty of one hundred dollars for each deer so had in possession. It shall be unlawful to

have in possession at any time, any doe or any deer, except a deer with horns visible above the hair, under a penalty of one hundred dollars for each doe or deer so had in possession. The having in possession of any wild deer during the times and periods prohibited in this act, or the having in possession at any time of any doe or deer not having horns visible above the hair, shall be prima facie evidence in all courts and places of the fact that such wild doe or deer is in possession unlawfully. *Provided,* that this act shall not apply to deer killed on game preserves, the owners or lessees of which are licensed by the Board of Fish and Game Commissioners, or to deer coming from another State, which is properly tagged showing where the same was killed.

Penalty.

Possession as evidence.

Proviso.

3. It shall be unlawful at all times hereafter for any person engaged in hunting for wild deer in this State to use or carry a rifle of any kind or description, or any firearm or shot gun of a smaller calibre than twelve gauge, or to load such firearm or shot gun with a bullet or other missile larger than that commonly known as buckshot, under a penalty of five hundred dollars for each offense.

Firearms.

Penalty.

4. It shall be unlawful at all times hereafter for any person to hunt for, pursue, stalk, or shoot at any wild deer, except by daylight on the days now or hereafter designated by law, under a penalty of one hundred dollars for each offense.

Hunting by daylight.

5. It shall be unlawful at all times hereafter for any person to hunt for any wild deer with a dog or dogs, under a penalty of one hundred dollars for each offense.

Dogs not to be used.

6. The following acts are hereby repealed:

"An act to amend an act entitled '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,' approved April fifth, one thousand nine hundred and four," approved June nineteenth, one thousand nine hundred and six.

Acts repealed.

A supplement to an act entitled "An act for the protection of certain kinds of birds, game and fish, to regu-

late 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, approved April twentieth, one thousand nine hundred and nine.

Guilt a misdemeanor.

7. Any person or persons who shall violate any of the provisions of this act, whether such person or persons has been prosecuted for a penalty for such violation or not, shall be guilty of a misdemeanor; one-half of any penalty recovered for any violation of this act shall be paid to any person or persons, other than a salaried warden, furnishing evidence sufficient to secure a conviction, said amount to be paid by the magistrate before whom the same was recovered and the balance forwarded to the Board of Fish and Game Commissioners. This act shall be enforced by the persons authorized by and in accordance with the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violation thereof," approved March twenty-ninth, eighteen hundred and ninety-seven, and the supplements thereto and amendments thereof.

Disposition of penalties recovered.

Act how enforced.

8. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 179.

An Act concerning fertilizers.

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

Fertilizers marked.

1. All corporations, firms or persons, before selling or offering for sale any commercial fertilizer, in the State of New Jersey, shall brand or attach to each bag, barrel or package in a conspicuous place on the outside thereof a plainly printed statement giving the following particulars and no others:

Statement.

(1) The number of pounds of fertilizer contained in the package. Weight.

(2) The name, brand or trademark under which the fertilizer is sold. Trade name.

(3) The name and principal address of the manufacturer, importer or other person putting the fertilizer on the market in this State. Maker.

(4) The minimum percentage of each of the following constituents which the fertilizer may contain: (a) nitrogen; (b) nitrogen equivalent to ammonia; (c) total phosphoric acid; (d) available phosphoric acid; (e) potash soluble in distilled water. The potash may be claimed "derived from" or "equivalent to" sulphate of potash if there is not a sufficient amount of chlorine present to unite with one-half (½) of one per centum (1%) of actual potash (K_2O). In the case of undissolved bone, tankage, phosphate rock and similar materials in their natural and untreated conditions when sold unmixed with other substances, the minimum percentage of the total phosphoric acid therein may be stated instead of the percentage of total and available phosphoric acid. But in the case of basic phosphatic slag, the available phosphoric acid shall be stated on the basis of the results of an analysis by the Wagner method, so-called, until such time as the Association of Official Agricultural Chemists of North America shall adopt an official method of analysis for basic slag, after which the available phosphoric acid shall be stated on the basis of an analysis by the method of said association. Chemical constitutents.

(5) No claim or guarantee for less than eighty-two one-hundredths (0.82) per centum of nitrogen, equivalent to 1 per centum ammonia, or for less than one per centum (1%) of phosphoric acid, or for less than one per centum (1%) of potash shall be allowed in any commercial fertilizer. Claim allowable.

2. All corporations, firms or persons, before selling or offering for sale any commercial fertilizer for use in this State, shall annually file, on or before November first of each year, with the chemist of the New Jersey Agricultural Experiment Station, herein termed Statement to be filed with State chemist.

the State Chemist, the said chemist being under the general direction and supervision of the director of the New Jersey Agricultural Experiment Station, a certified statement on blanks furnished by the State Chemist, giving, with the exception of the net weight of package, the information required in section one and also a permit allowing the State Chemist or his deputy to examine the books of the party registering the brand or brands, in order to verify, if necessary, the reports of said party as to the tonnage sold. Should a corporation, firm or person desire in any year to sell or offer for sale any new brand of commercial fertilizer and the statement be not filed by November first, as required by this section, the said corporation, firm or person may offer and expose for sale the said brand after filing a certified statement as aforesaid and complying with the other requirements of this act. On receipt of the certified statement described in this section, and after compliance with the other requirements of this act, the State Chemist shall issue a certificate of registration for the commercial fertilizer which shall be in force until the succeeding October thirty-first, and he shall publish annually a list of the brands registered. A brand name of a mixed fertilizer, once registered, shall not be changed to a lower grade at any subsequent registration.

Sale of new brands.

Certificate of registration.

Brand not lowered.

Bone fertilizers.

3. It shall be unlawful for any corporation, firm or person to use the word "bone" in connection with or as a part of the name of any fertilizer, or any brand of the same, unless the phosphoric acid contained shall be derived from pure animal bone. It shall be unlawful for any corporation, firm or person to sell or offer for sale any fertilizer having a name or brand which is misleading or deceptive, or which would tend to mislead or deceive as to the materials of which it is composed. Should any commercial fertilizer be registered in this State, and it be afterward discovered that such registration is in violation of any provision of this act, or if the State Chemist is not permitted to verify the statement of tonnage sold, the State Chemist shall have power to cancel such registration.

Defraying expenses of inspections.

4. For the purpose of defraying the expenses connected with the inspection of commercial fertilizers sold or offered for sale in this State and experiments relative to the value thereof, all corporations, firms or persons engaged in the manufacture or sale of commercial fertilizer shall, on April first and November first of each year, make a statement under oath in due form of law, which shall be filed with the State Chemist, and which shall set forth the number of net tons of fertilizer, or fertilizer materials, sold during the preceding six months; and upon such statement shall pay to the New Jersey State Experiment Station the sum of fifteen cents per net ton of two thousand pounds. Nothing contained in this section shall interfere with fertilizers passing through the State in transit; nor shall apply to the delivery of fertilizer materials to fertilizer factories for manufacturing purposes.

Charge per ton.

Use of fees received.

5. The fees received by the New Jersey Experiment Station shall be forwarded to the Treasurer of the State of New Jersey and, after appropriation, according to law, the money thus accounted for shall be expended under the authority of the director of the New Jersey Agricultural Experiment Station in defraying the expenses of inspecting and analyzing commercial fertilizers, and in the printing of bulletins containing the results of the inspections, and, should there be a surplus, the surplus shall be used by the New Jersey Agricultural Experiment Station, under the authority of the director, for experiments and research relative to soils, fertilizers and manures and for the publication of the results obtained.

Analyses.

6. The State Chemist shall cause one analysis or more to be made annually of such commercial fertilizers sold or offered for sale under provisions of this act as may be sampled by him or under his direction.

Securing samples.

The State Chemist, in person, or his deputy, shall have power to enter any car, warehouse, store, building, boat, vessel or place supposed to contain fertilizers for the purpose of inspection and sampling, and shall have the power to take at least two samples for analysis, each not exceeding two (2) pounds, from any package or

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lot of fertilizers found within the State. The said samples shall be drawn in duplicate in the presence of at least one witness, and, in the presence of such witness, the person authorized to take the samples shall seal such samples. The samples so taken shall be forwarded to the State Chemist, and a portion of one of them shall be at the disposal of the manufacturer or mixer. When the samples are taken from fertilizers in bags, a tube shall be used and it shall be inserted at one end of the bag and shall pass substantially the entire length of the bag, so as to take a core of the material being sampled from substantially the entire length of the bag. Samples thus taken from individual bags shall be thoroughly mixed and the official samples shall be taken from the mixture so drawn. Broken packages shall not be sampled, and all samples shall be taken from not less than five packages, unless there be less than five separate packages in the lot, in which case portions of the official sample shall be taken from each package, but in lots of one hundred (100) or over from not less than five (5) per centum of the entire number. All analyses shall be made by the official methods of the Association of Agricultural Chemists of North America, excepting basic phosphatic slag, as noted in section one of this act; but should it be found necessary to make any determination for which there is no official method, the State Chemist may determine the method to be used until a method for such an analysis is adopted by said association. In the trial of any suit or action wherein is called in question the value or composition of any fertilizer, a certificate signed by the State Chemist and attested with his seal, setting forth the analysis made by the State Chemist, or under his direction, under the provisions of this act, shall be prima facie proof that the fertilizer was of the value or consistency shown by his said analysis. And the said certificate of the State Chemist shall be admissible to evidence to the same extent as if it were his deposition taken in said action in the manner prescribed by law for taking depositions. The State Chemist shall issue at least one bulletin annually setting forth the anlyses of fertilizers

In duplicate.

Taking samples from bags.

Samples from packages.

Method of analyses.

Certificate of chemist in evidence.

Annual bulletin.

made under the provisions of this act, and such other information concerning violation or operation of this act, or otherwise pertaining to the sale or composition of fertilizers, as may be considered necessary.

Violations deemed a misdemeanor.

7. If any corporation, firm or person has sold any quantity of a commercial fertilizer for which the required statement of tonnage sold has not been made nor the fees paid; has rendered a false statement; or has rendered a false statement and paid fees in accordance therewith; or has not allowed the State Chemist to verify the statement of tonnage sold; or has sold fertilizer found by analysis, made by or under the direction of the State Chemist, not to contain substantially the guaranteed percentage of any one of the ingredients mentioned in the guaranteed analysis in accordance with section one of this act or has labeled any fertilizer with a false or inaccurate guarantee; or if any corporation, firm or person has opposed the entrance of the State Chemist or his deputy to any building or in any way interfered with the discharge of his duty, such corporation, firm or person shall be deemed guilty of a misdemeanor; *provided,* that nothing in this act shall be so construed as to prevent a farmer mixing fertilizer materials for his own use, which have been sold under the provisions of this act, or to prevent manufacturers who have complied with sections one and two of this act having in stock raw or manufactured materials, or to prevent the New Jersey Agricultural Experiment Station or any person or persons deputized by said New Jersey State Experiment Station making experiments with agricultural chemicals for the advancement of the science of agriculture.

Proviso.

Other violations.

8. Any corporation, firm or person violating any provision of this act which is not otherwise provided herein, shall be deemed guilty of a misdemeanor.

Rules and regulations.

9. The State Chemist shall have authority to establish such rules and regulations, in regard to the inspection, analysis and sale of commercial fertilizer as shall not be inconsistent with the provisions of this act, and, in his judgment, shall best carry out the requirements thereof.

Definitions.

10. In this act, unless the subject matter otherwise requires:

"Commercial fertilizers" shall be held to include all materials containing nitrogen, or phosphoric acid or potash that are sold for a price exceeding five dollars ($5.00) per ton, except lime, limestone, marl, plaster and the excrements and litter from domestic animals when sold in their natural state.

"Brand" means any commercial fertilizer distinctive by reason of name, or guaranteed analysis.

"Fertilizer" means commercial fertilizer.

"Guaranteed analysis" means the percentage composition as printed on or attached to the package.

"Available phosphoric acid" means the sum of the soluble and reverted phosphoric acid.

"Package" includes sacks, bags and all other receptacles.

"Phosphoric acid" means phosphoric anhydrid (P_2O_5).

"Potash" means potassium oxide (K_2O).

Repealer.

11. Every act or part of act conflicting with the requirements of this act is hereby repealed.

In effect.

12. This act shall take effect October first, one thousand nine hundred and twelve.

Approved March 27, 1912.

CHAPTER 180.

An Act to amend "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)," 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 78 amended.

1. Section seventy-eight of the act of which this is an amendment be and the same is hereby amended so that the same shall read as follows:

Executor to take refunding bond.

78. Every executor or administrator, on the payment of any legacy or distributive share to the person entitled to the same, shall take a refunding bond therefor; which bond shall be filed in the surrogate's office of the county in which letters testamentary or of administration were granted; and any creditor, who may be barred by virtue of any decree of limitation, may by order of the orphans' court, bring suit on such refunding bond in the name of the executor or administrator, but with the name of such creditor stated in the process and pleadings as the prosecutor thereof, and may recover thereon the proportion of his debt which ought to be paid out of the legacy or distributive share for which said bond was given, but shall not recover costs in such suit; and if judgment be given for the defendant therein, he shall have judgment against the prosecutor for his costs of suit, and not against the plaintiff; but there shall not be recovered on such bond, in the whole a greater amount than the legacy or share actually received by the person by or from whom it was given; *provided,* that nothing herein contained shall enable any person to recover any debt or demand barred by any limitation other than said decree; *and provided also,* that where any legacy or distributive share is payable to any executor, administrator, guardian or trustee it shall be an absolute bar in any suit for the recovery of said legacy or distributive share on any refunding bond given by said executor, administrator, guardian or trustee that prior to the commencement of said suit the moneys or property so received by said executor, administrator, guardian or trustee have been lawfully paid over or distributed and that said executor, administrator, guardian or trustee has taken in the name of the executor or administrator of the original decedent a refunding bond or bonds therefor and in case part of said moneys have been distributed by said executor, administrator, guardian or trustee and refunding bond or bonds taken therefor, recovery may be had for the unpaid part only, and in case refunding bond or bonds are taken as aforesaid, suit may be brought by any such creditor on said refunding bond or bonds in the same

Creditor barred may sue on bond.

May recover proportion of debt, without costs.

Proviso.

Proviso.

manner as if payment had been made by the executor or administrator of the original decedent direct to a legatee or distributee; but if said refunding bond or bonds shall not, prior to the commencement of suit as aforesaid, be filed in said surrogate's office, said executor, administrator, guardian or trustee shall at the time of the pleading said payment or distribution, file a proper refunding bond therefor in said surrogate's office and pay the plaintiff in such action his costs of suit which shall have accrued prior to plea filed.

If bond not filed before suit. What to be done.

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 March 27, 1912.

CHAPTER 181.

An Act to amend and supplement an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries, and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards," approved March twenty-sixth, one thousand nine hundred and two, the title to which act was amended to read as above set forth by an act approved April twentieth, one thousand nine hundred and nine, and to validate elections heretofore held in conformity with the provisions of section seven of said act in counties of the second class.

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 and supplement is hereby amended to read as follows:

Membership of boards of freeholders per population.

1. Boards of chosen freeholders in counties of this State having over three hundred thousand inhabitants shall consist of nine members; in counties having between one hundred thousand and three hundred thousand inhabitants, said boards shall consist of seven members; in counties having between fifty thousand and one hundred thousand inhabitants, said boards shall consist of five members; in counties having less than fifty thousand inhabitants, said boards shall consist of three members; they shall be elected by the voters of each county at the same time that members of the general assembly are elected, and shall hold office from the first Monday of January next after their election, for the term for which they shall respectively be elected as hereinafter provided and until their successors are elected and qualified.

Terms.

Method of election.

At the annual election held next prior to the expiration of the term of office of the members of the boards of chosen freeholders of the counties of this State, that have heretofore adopted the provisions of this act, and at the first election in each county of this State, that shall hereafter adopt the provisions of this act, the members of the boards of chosen freeholders for such counties shall be elected as follows: in counties having over three hundred thousand inhabitants three shall be elected for the term of one year, three for the term of two years, and three for the term of three years; in counties having between one hundred thousand and three hundred thousand inhabitants, two shall be elected for the term of one year, two for the term of two years, and three for the term of three years; in counties having between fifty thousand and one hundred thousand inhabitants, one shall be elected for the term of one year, two for the term of two years, and two for the term of three years; in counties having less than fifty thousand inhabitants, one shall be elected for the term of one year, one for the term of two years, and one for the term of three years, and the ballots voted at such election shall designate which are to serve for the term of one year, which for the term of two years and which for the term of three years, and thereafter

there shall be elected annually members of said boards of chosen freeholders to succeed the members whose terms expire in the month of January following, who shall hold office for the full term of three years. Vacancies in said boards may be filled by the remaining members thereof until the annual meeting in January following and elections to fill vacancies shall be for the unexpired term only.

Vacancies.

Pertaining to counties of second class.

2. In all counties of the second class in this State in which there has been heretofore held an election for the acceptance or rejection of the act to which this is an amendment and supplement in conformity with the provisions of section seven of said act, at which election a majority of the votes cast for or against "the law reducing the number of freeholders" were in favor of the adoption of said act, the board of chosen freeholders shall hereafter consist of either five or seven members according to population as provided in section one of said act as hereby amended, who shall be elected at the next general election held in such counties in the manner and for the terms provided in section one of said act, without any further or other referendum.

3. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 182.

An Act for the collection of statistics regarding mental deficiency and epilepsy in this State in order that persons so afflicted may be identified and committed to the proper institutions or their care and treatment properly supervised.

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

Physicians to report cases of epilepsy.

1. Every physician shall report each case of mental deficiency or epilepsy to the assessor of the township in

which such case may be; if such case be within the limits of the jurisdiction of any local board of health other than the local board of health of any township, then such physician shall report such case to the secretary of the local board of health having jurisdiction over the territory within which such case may be, if such board has a secretary; if such board has no secretary, then to the clerk of such board; *provided, however,* that any local board of health may designate some officer of such board, other than the clerk, secretary or township assessor, to receive such reports, in which case all such reports shall be made to such officer; such reports shall be in writing, signed by such physician, and shall set forth the name, age and precise location of the person mentally deficient or having epilepsy.

Proviso.

2. Every medical inspector of schools who has reason to believe that any person receiving instruction in the school under his or her supervision is affected as above mentioned shall report the case in writing to the same person and in the same manner as any physician attending such person affected would be required to do so as hereinabove set forth.

Medical school inspector to report.

3. On the thirtieth day of June and the thirty-first day of December in each and every year every physician or medical inspector making any report or reports as in this section required shall receive from the local board of health, to the designated officer of which board such report or reports shall have been made during the preceding six months a certificate in writing, setting forth the number of names of persons reported to have been affected with the hereinabove specifically named defects, which certificate, when presented by such physician or medical inspector to the proper disbursing officer of the city, borough, town or township in which such affected persons may have been resident, shall entitle such physician or medical inspector 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, and any physician or medical inspector of schools who shall wilfully fail to perform the above

Semi-annual statement.

Fee payable.

Penalty.

mentioned duty at the time and in the manner above provided shall be liable to a penalty of fifty dollars for each failure.

Record book.

4. The facts contained in every report filed pursuant to the provisions of the first section of this act shall be entered by the officer to whom the same shall be delivered in a book kept exclusively for that purpose, which book shall be subject to the inspection of the local board of health and its proper officers, and to the State Board of Health and its officers only; the officer to whom such report shall be delivered, and whose duty it is to make record of the same, as in this section above set forth, shall also, at least once a month, transmit in duplicate the facts stated therein by mail to the secretary of the Board of Health of the State of New Jersey, and shall, upon request by the said State Board of Health, or any of its officers, give full information regarding the case. Any officer whose duty it is to make any report to said State Board of Health or the secretary thereof, as in this section above provided, and who wilfully fails to perform such duty at the time and in the manner above provided, shall be liable to a penalty of fifty dollars for each and every such failure of duty. The fact that the secretary of said State Board of Health has not received the report before mentioned after one notification of such delinquency to any such officer shall be prima facie evidence that such facts and information have not been transmitted to said secretary by such officer. Every officer whose duty it is to receive the reports mentioned in section one of this act shall, during the month of October of each year, upon presentation of a certificate signed by the secretary of the State Board of Health stating the whole number of such cases reported as aforesaid from each municipality or township by such officer to the State Board of Health during the preceding year, be entitled to receive from the proper disbursing officer of the township, city, borough, town or other local municipal government within the limits of which the affliction so reported occurred the sum of ten cents for each case reported, as aforesaid, to the secretary of the State Board of Health:

Monthly report.

Penalty for not complying

Annual report.

provided, however, that such officer shall not be entitled to any payment for or on account of any such case unless report of such case was received by the secretary of the said State Board of Health within ten days after the date such said case was reported to the officer transmitting the same, and no such case shall be included in such certificate unless so received. Such certificates shall be sent to the officers above mentioned during the month of October of each year. Proviso.

5. The duplicate report mentioned in section four shall be transmitted by the secretary of the Board of Health of the State of New Jersey at least once a month to the Commissioner of Charities and Corrections. Every person afflicted with the aforenamed defects, or either of them, shall be deemed to be under the guardianship of the Commissioner of Charities and Corrections, who may, if in his judgment necessity requires, may make legal commitment of such persons to the proper institutions of this State or, in lieu therefor, supervise the care and treatment of such persons. Commissioner of Charities notified. Guardianship.

Guardianship under this act shall be construed to mean the supervision of the Commissioner of Charities and Corrections over such afflicted persons within this act, and shall be exercised for the purpose of enforcing proper care and discipline over such afflicted persons. Guardianship explained.

Advice upon any questionable or extreme cases or for any other information necessary to make proper diagnosis shall be given by specialists at the request of the Department of Charities and Corrections in the interest of the welfare of the State and its deficients. Advice of specialists.

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

Approved March 27, 1912.

CHAPTER 183.

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 116 amended.

1. Section one hundred and sixteen of article nine 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, be, and hereby is, amended so as to read as follows:

Who may attend school.

Public schools shall be free to all persons over five and under twenty years of age, and to such persons over the age of twenty years as the board of education of any school district may deem it wise to offer instruction, who shall be residents of the school district.

Non-residents.

Non-residents of a school district if otherwise competent, may be admitted to the schools of said district with the consent of the board of education upon such terms as said board may prescribe; *provided,* that the authority to charge tuition for non-resident pupils conferred by this section shall not apply to non-resident pupils transferred to any district by an order of the county superintendent of schools.

Proviso.

2. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 184.

An Act fixing the salaries of the mayors in cities of the first class of this State.

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

Salaries of mayors.

1. In cities of the first class of this State, the common council, or other governing board or body thereof, as the case may be, shall have power to fix the salary of the mayor of such city but no change in the salary of the mayor of any city of the first class shall take effect during the term for which the mayor then in office shall have been elected, or within the period intervening between the election of a mayor and his assumption of the duties of his office.

Repealer.

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

Approved March 27, 1912.

CHAPTER 185.

A Supplement to an act entitled "An act to enable the board of chosen freeholders of any county in this State to erect, construct, and maintain a viaduct between two or more municipalities in such county, connecting streets or roads of such county or municipality, and to extend roads to connect with such viaduct, and to acquire lands for the same, and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof," approved March twenty-eighth, one thousand nine hundred and four.

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

Freeholders may make proper street connections with viaduct if municipalities fail to do so.

1. If one or more ends of said viaduct as constructed or planned to be constructed under the act to which this is a supplement terminate at and connect with a street or road of any municipality, as shown on an official map or plan of the approaches to such viaduct, and such street or road is not so graded and improved as to continue the grade of such viaduct, and such municipality shall fail, neglect or refuse to grade and improve such street or road in continuation of and according to the grade of said viaduct, then it shall and may be lawful for the board of chosen freeholders of such county as a part of the cost of such viaduct to enter into and upon such street or road and grade and improve the same in continuation of and conformably to the grade of such viaduct, for a distance not to exceed two hundred and fifty feet; *provided,* that the board of chosen freeholders have conferred with the board or body having charge of the streets in any such municipality and arrived at an agreement with such municipal board or body regarding the proposed change of street grades and the repaving of the portion of streets so changed if said streets be paved and have also agreed upon the adjustment of cost or damages which may be incurred by such change of grade.

Proviso.

Retaining walls.

2. If in the construction of said viaduct excavations are made through rock and earth in order to produce the grade, leaving on either or both sides thereof steep rock and earth, which rock and earth are liable to fall in upon said viaduct and make the same dangerous to life and property, it shall and may be lawful for such board to build retaining walls, for such distance along said viaduct, to retain said rock and earth, as in the judgment of the board may be reasonable and proper to make said viaduct safe for public use.

Work done by contract.

3. The work herein authorized shall be done on bids duly advertised for, in accordance with the provisions of, and the moneys wherewith to pay the cost may be raised by the issue of bonds as provided, in the act to which this is a supplement, which cost, and the bonds

which may be issued to pay the same, are hereby authorized to be incurred and issued in excess of the limit of expenditure and amount fixed or authorized to be issued under the act to which this is a supplement and any supplement thereto or amendment thereof. Bonds issued.

4. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 186.

An Act providing for the repavement of paved streets in cities of the second class of this State, and for the issuance of bonds in payment therefor

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

1. The common council or board having charge and control of the finances of any of the second class cities of this State is hereby authorized and empowered to borrow money from time to time for the purpose of repaving any paved street or streets therein, and to secure the payment thereof by the issuance of bonds, to an amount not exceeding three hundred thousand dollars. The bonds so to be issued shall be payable not more than thirty years from their date, to bear interest at a rate not exceeding five per centum per annum, payable semi-annually, to be designated "repavement bonds," and to be of such form and denomination and be executed by such officers as said common council or board shall determine, and said bonds may be sold from time to time at public sale, but for not less than par and accrued interest, under the direction of said common council or board. Each of such bonds shall recite that it is issued pursuant to the authority of this act, which recital shall be conclusive evidence of the validity of such bond and the regularity of its issuance. Bond issue to repave streets. Time. Rate. Authority given.

The said common council or board shall be authorized to apply the proceeds resulting from the sale of Proceeds of sale.

any such bonds in the payment of the costs and expenses hereafter incurred by such city in the repavement of any paved street or streets therein, which said common council or board shall hereafter decide to so repave.

Sinking fund.

2. It shall be the duty of the common council or board having charge and control of the finances of any of the second class cities of this State issuing bonds under the authority of this act to establish a sinking fund for the payment of the principal thereof at maturity, and to provide for the levy and collection annually, until the maturity of the bonds, of a special tax of not less than three per centum of the par value of the bonds so issued to be levied and collected with the other taxes of such city, and paid into such sinking fund ; and said common council or other board having charge and control of the finances of any of the second class cities of this State shall also each year, until the maturity of said bonds, raise by special tax, to be levied and collected with the other taxes of the city, an amount sufficient to pay the interest on said bonds falling due in such year.

Provision for redemption.

3. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 187.

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

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

Section 3.

1. Amend section three of the act to which this is an amendment so that it shall read as follows:

Body corporate.

3. Upon filing the certificate as aforesaid, the persons who shall have signed and acknowledged such certificate and their associates and successors, shall thereupon by virtue of this act be a body politic and corporate by the name stated in such certificate, and as such shall have power:

I. To have perpetual succession by its corporate name; Succession.

II. To sue and be sued, complain and defend, in any court of law or equity; Legal rights.

III. To make and use a common seal and alter the same at pleasure; Seal.

IV. To appoint such officers, managers and agents as the business of the corporation may require; Officers.

V. To make by-laws, not inconsistent with the laws of the State or of the United States, for the management of its property and the regulation of its affairs; By-laws.

VI. To contract and be contracted with; Contracts.

VII. To take and hold by lease, gift, purchase, grant, devise or bequest any property, real or personal, as may be necessary or desirable for attaining the objects and carrying into effect the purposes of the corporation, and to transfer and convey all or any such real or personal property; borrow money for the purposes of the corporation and issue bonds therefor, and to secure the same by mortgage; Property.

VIII. To exercise any corporate powers necessary to the exercise of the powers above enumerated and given. Privileges.

2. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 188.

An Act to amend an act entitled "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," which further supplement was approved March thirtieth, one thousand nine hundred and ten.

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

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

Apportioning amounts in taxing districts.

1. It shall be the duty of the county board 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 the State Board of Assessors upon the assessed value of real estate used for railroad or canal purposes and lying outside of the main stem of any canal or railroad; or by reason of the decision of any court, and the total valuations as ascertained after the assessments in the various assessment lists and duplicates have been revised, corrected and equalized, and after the deductions herein provided for shall have been made, shall form the basis for the apportionment of said State, State school or county taxes; *provided, however,* that where an 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.

Reductions on appeal.

Proviso.

Approved March 27, 1912..

CHAPTER 189.

A Supplement to an act entitled "An act regulating the employment, tenure and discharge of certain officers and employes of the 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 commission may institute legal proceedings.

1. In addition to the powers conferred by the statute to which this act is a supplement the Civil Service Commission is hereby vested with all necessary power and authority to enforce the provisions of the Civil Service law and the rules and regulations of said Commission made in accordance therewith, and to secure compliance therewith, both within the service of the State and of any municipality which has heretofore or may hereafter adopt the provisions of the act to which this act is a supplement, and for this purpose may, as the Civil Service Commission of the State of New Jersey, bring such suits or actions, either at law or in equity, as may be necessary and appropriate.

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 March 27, 1912.

CHAPTER 190.

An Act to amend an act entitled "A supplement to an act entitled 'An act to provide for the appointment of police justices in cities of the first class,' passed May eighteenth, one thousand eight hundred and ninety-four," which supplement was approved March twenty-second, one thousand eight hundred and ninety-five.

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

Section 9 amended.

1. Section nine of the act entitled 'An act to provide for the appointment of police justices in cities of the first class,' passed May eighteenth, one thousand eight hundred and ninety-four, which supplement was approved March seventh, one thousand eight hundred and ninety-five, be and the same is hereby amended so as to read as follows:

May sit in other courts; justices of peace and clerks may also act.

9. It shall be lawful for a judge of any of said courts to sit as judge of any other of said courts, and any duly qualified justice of the peace or the clerk of said court, at the request of the judge of said court, may sit in the place and stead of said judge, and the judge, justice or clerk so sitting shall have the same power and authority as judge of said court.

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 27, 1912.

CHAPTER 191.

A Supplement to an act entitled "An act concerning railroads," approved April fourteenth, one thousand nine hundred and three.

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

Passes for chiefs of police.

1. It shall hereafter be lawful for any railroad company engaged in business in this State to issue free transportation to the chiefs of police of the municipalities of this State.

Repealer.

2. All acts and parts of acts inconsistent with this act be and the same are hereby repealed.

3. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 192.

A Supplement to an act entitled "An act concerning cities, providing for the officers, government and powers of cities adopting the same," approved April the fourteenth, one thousand nine hundred and eight.

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

Acquire easement and construct sewers.

1. Any city in this State that may have heretofore adopted, or may hereafter adopt, the provisions of chapter two hundred and fifty, laws of one thousand nine hundred and eight, and the acts supplemental thereto and amendatory thereof, shall have power, whenever it shall determine, to construct any sewer or drain,

to acquire or take, for the purpose of the construction and maintenance of any such sewer or drain, either a fee-simple, or right of way, or easement in the lands required for the purpose of the construction and maintenance of such sewer or drain, as may be deemed to be in the best interests of such city, and may acquire such fee-simple, or right of way, or easement by purchase, agreement or condemnation, and in the event of acquisition by condemnation, the damages awarded shall be limited to those arising by reason of the estate or interest in the lands so taken.

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

3. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 193.

An Act to amend an act entitled "An act regulating fishing in the waters of the Delaware river and bay lying between the States of New Jersey and Delaware, and all the tributaries of said river and bay within said limits, wherein the tide ebbs and flows," which said act was approved April twenty-seventh, nineteen hundred and eleven.

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 act is an amendment is hereby amended so as to read as follows:

Sturgeon fishing. 5. It shall be unlawful for any person to catch and take or attempt to catch and take any sturgeon from the Delaware river and bay lying between the States of New Jersey and Delaware and any of the tributaries of said river and bay within said limits, wherein the tide ebbs and flows, with any device excepting a seine or

gill net, the meshes of which shall be not less than thirteen inches, stretched measure while being fished, or to catch and take or attempt to catch and take, any other food fish from said waters with a seine the meshes of which shall be less than two and one-half inches, stretched measure while being fished, or any gill net, the meshes of which shall be less than five and one-quarter inches, stretched measure while being fished; *provided,* that gill nets, with a mesh not smaller than three inches, may be used from March first to June tenth, in each year, for the purpose of taking herring only. It shall also be unlawful for any person to catch and take or attempt to catch and take any food fish excepting sturgeon, by means of a seine or gill net, between the tenth day of June in each year and the first day of March next ensuing; *provided, however,* that hauling seines for the taking of food fish with mesh not smaller than two and one-quarter inches, stretched measure while being fished and not exceeding fifty fathoms in length, and drifting gill nets for the purpose of taking food fish, the meshes of which shall not be less than two and three-quarter inches, stretched measure while being fished and not exceeding fifty fathoms in length may be used in the Delaware river and bay below West Creek from the first day of March to the thirty-first day of December in each year, provided that not more than one gill net or hauling seine shall be used from any boat. Any person who shall violate any of the provisions of this section shall, on conviction thereof, be subject to a fine of one hundred dollars, together with a forfeiture of all nets, boats and appliances used.

Gill net; meshes.

Proviso.

Closed season for food fish.

Proviso.

Penalty.

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

Section 6 amended.

6. It shall be unlawful for any person to catch and take or attempt to catch and take fish of any kind from the Delaware river and bay lying between the States of New Jersey and Delaware, and any of the tributaries of said river and bay within said limits wherein the tide ebbs and flows, with a pound net or net of any character which is anchored or staked or fastened down in any manner permanently or otherwise, or to use any net so

Use of nets.

fastened down or anchored in any manner, nor shall any net of any kind or character, excepting a drifting gill net, an eel pot or a fyke net, each without wings, or a parallel net for the capture of carp only be used for the purpose of catching and taking fish in said waters within one-half mile above or below the mouth of any river, creek or stream emptying into said Delaware river below Trenton falls; *provided,* that gill net, with mesh not smaller than three inches and not exceeding twenty-five fathoms in length, may be staked within one-half mile of the shore in the Delaware bay below Ben Davis' point; *provided, further,* that pound nets, for the taking of food fish, which do not extend into the Delaware bay more than three hundred feet from mean low water mark, or three hundred feet from the outside of the flats which fall bare at low water, may be set and used in the Delaware bay below West Creek from the first day of March to the thirty-first day of December in each year, both dates inclusive. Any person who shall violate any of the provisions of this section shall, on conviction thereof, be subject to a fine of twenty dollars, together with a forfeiture of boats, nets and other appliances used.

Proviso.

Proviso.

Penalty.

Section 9 amended.

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

Use of eel pots and fyke nets.

9. It shall be unlawful to use eel pots and fyke nets, each without wings, in the Delaware river and bay lying between the States of New Jersey and Delaware, and any of the tributaries of the said river and bay within said limits, wherein the tide ebbs and flows, from June first to July first in each year, both dates inclusive, but it shall be lawful to use eel pots and fyke nets, each without wings, from July first to May thirty-first, both dates inclusive in each year, for the purpose of catching carp, catfish, eels and suckers only; all other species of fish which may be caught in said nets must be returned unharmed immediately to the waters from which taken; *provided,* that the entrance of said eel pot and fyke net shall be not more than six inches in diameter and the outside diameter not more than thirty inches; *provided, however,* that eel pots and fyke nets, with wings not

Proviso.

Proviso.

exceeding five fathoms in length, for the purpose of taking eels only, the entrance of which shall not be more than twelve inches and the diameter not more than seventy-two inches, may be used in the Delaware bay below West Creek from the fifteenth day of October to the thirty-first day of December, in each year, both dates inclusive. Any person violating any of the provisions of this section shall, on conviction thereof, be subject to a fine of twenty dollars, together with a forfeiture of all nets, boats and appliances used. Penalty.

4. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 194.

An Act to authorize the Board of Fish and Game Commissioners to appoint ten additional fish and game wardens.

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

1. The Board of Fish and Game Commissioners of this State are hereby authorized, when, in their judgment, it shall become necessary, to appoint any number of fish and game wardens, not to exceed ten, in addition to the number of wardens now allowed by law. Such additional wardens, when so appointed as aforesaid, shall be entitled to the same compensation, including expenses, shall have the same powers and duties and shall qualify in the same manner as now provided by law in the case of fish and game wardens heretofore appointed. Additional game wardens.

Approved March 27, 1912.

CHAPTER 195.

An Act authorizing cities of this State except cities of the first class to issue temporary improvement certificates and to levy general taxes to pay the cost and expenses of laying or re-laying water pipe, and to apply the moneys received from assessments of benefits resulting from the laying or re-laying of said water pipe and the moneys so raised by general taxes, to the payment of the cost and expenses of such improvement or to the payment of such temporary improvement certificates.

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

Issue temporary certificates.

1. It shall be lawful for the board of aldermen, common council or other body having charge of the finances of any city in this State except cities of the first class to pay the cost and expenses of laying or re-laying water pipe in said city by the issue of temporary improvement certificates from time to time as the work progresses, in such form as said board of aldermen, common council or other body having charge of the finances may prescribe; which certificates shall bear interest at a rate not exceeding six per centum per annum and shall be payable at the expiration of not more than three years from the date of their issue.

Rate; time.

Provision for meeting obligations.

2. It shall be the duty of the board having charge of the finances of any such city to incorporate in the annual tax levy, in each year, such amount as shall be required to be paid by such city at large, on account of the cost and expenses of any such improvement, made in the next preceding fiscal year, over and above the total amount of any assessment made against the lands and

real estate peculiarly benefited, and the same shall be raised by general taxes; and the moneys received from assessments of benefits resulting from the laying or relaying of said water pipe, and the moneys so raised by general taxes, for the purpose aforesaid, shall be reserved for, and exclusively applied to the payment of the cost and expenses of such improvement, or to the payment of any temporary indebtedness incurred by the city therefor.

3. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 196.

An Act to authorize and empower cities of the second class in this State to fix and regulate the salaries and compensation of municipal officers and employees.

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

Fix salaries of municipal officers.

1. It shall be lawful for any city of the second class, by its common council, board of aldermen or other governing body having control of the finances, to fix and regulate by ordinance the salary or compensation of all municipal officers and employees, but no change in the salary or compensation of any such officers shall take effect during the term for which the officer then in office shall have been elected, or within the period intervening between the election of any such officer and the assumption of the duties of his office; *provided, however,* that this power to fix and regulate the salary or compensation of all municipal officers and employees shall not be exercised in respect to any matter or thing which is now exclusively vested by law in any other board or body of such city.

Proviso.

Repealer.

2. All acts and parts of acts, general, local or special, inconsistent herewith are hereby repealed.

3. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 197.

A Supplement to an act entitled "An act for regulating public shows," approved March twenty-ninth, one thousand eight hundred and seventy-four.

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

Enclosure for moving picture machines.

1. It shall be unlawful to use or to set for use, any cinematograph or other apparatus or machine for projecting or exhibiting moving pictures, when such apparatus or machine uses films of a combustible material more than ten inches in length, in any building, place of public assemblage or entertainment, unless such apparatus or machine be enclosed in a booth or other enclosure covered or lined with asbestos or other strong and fire-resisting material that will withstand, on a twelve-inch square sample, at least a centre load of two hundred and fifty pounds, and which shall be sufficient to resist a temperature of at least fifteen hundred degrees Fahrenheit for at least thirty minutes, and after which, being immersed in water, will not lose more than fifty per centum of its initial strength.

Dimension of booths.

2. The booths provided for in the last section of this act shall be at least seven feet in height, inside dimensions; if for the use of one such machine or apparatus as is mentioned in the last section, the area occupied by such booth shall be not less than forty-eight square feet; if more than one such machine or apparatus is to be operated therein, an additional twenty-four square feet of area shall be provided. Such booth shall be constructed with a framework of iron angles not less than one and one-quarter inches by one and one-quarter inches by three-sixteenths of an inch thick. The adjacent iron members being firmly joined with angle plates of iron; the iron members of the framework shall

Framework.

be spaced not more than four feet apart. The fire material herein mentioned shall completely cover the sides and top; all joints of such booths and framework shall be pointed up with asbestos retort cement; the sheets of such fire-resisting material shall be at least one-quarter of an inch in thickness, and shall be securely attached to the iron framework by means of iron bolts and rivets. The floor of such booth shall be covered with such fire-resisting material not less than three-eighths of an inch in thickness. For each booth there shall be provided a door not less than two feet in width and six feet in height, consisting of an angle iron frame covered with sheets of said fire-resisting material one-quarter of an inch in thickness, and attached to the framework of such booth by hinges, in such manner that the door shall be kept closed automatically at all times, when not used for ingress or egress. The windows in such booth used in connection with the machines and apparatus, and by the operators thereof, shall not be larger than is reasonably necessary to secure the desired service, and such fire-resisting material shall be provided for each window and shall be so suspended and arranged that they will automatically close the window openings upon the operation of either a fusible or mechanical releasing device, with a fusible link attached, also booth to be provided with an opening for ventilation; this opening to be provided with an automatically closing door or a riveted conductor pipe to outside of building or into chimney.

Fire proofing.

Floor.

Doors.

Windows.

Ventilation.

3. No booth of the character above mentioned shall be constructed until plans and specifications therefor have been submitted to and approved by the executive officer of the municipality wherein such booth is to be constructed, having in charge the department relating to the erection of buildings, or in municipalities where no such department exists by the executive officer or body in charge of the fire department thereof; no plans or specifications shall be approved which do not conform to the minimum requirements set forth in the last preceding section hereof.

Plans approved by building inspector.

Duration of certificate of approval.

4. Every such certificate of approval shall expire in sixty days after its date, and no booth shall be erected under such certificate of approval unless the same be erected within sixty days from the date of such approval.

Notification of construction.

5. After any booth shall have been constructed in accordance with the terms of this act, the owner of the premises wherein the same is to be located, or the lessee thereof, or the person for whom such booth is being constructed, shall notify the proper officer or body provided in this act, of the fact of the completion of such construction, within five days after such completion. Thereupon such officer or body shall cause such booth to be inspected, and if found to have been constructed in accordance with the plans and specifications, and with the requirements of this act, and in such manner as to render safe the operation of the apparatus or machines intended to be used therein for the purpose of projecting moving pictures, such officer or body shall issue to the owner, lessee or other person above mentioned, a certificate to that effect. Such certificate shall be posted in such public part of such booth as to enable the same to be distinctly seen from a point in such building or place of assemblage, at least five feet distant from such booth.

Inspection.

Supervision and fees.

6. The board or body having charge of the supervision and control of the erection of buildings in any municipality shall prescribe the details for the submission of plans and specifications and their approval, the inspection of such booth and their approval and the issuance of certificates under this act, and shall fix the fees to be paid for such certificates and inspection.

Penalty.

7. For the violation of any of the provisions of this act the person so offending shall be fined the sum of fifty dollars, on complaint and proof of such violation before any police justice, recorder, justice of the peace or other magistrate in municipalities where the offices of police justice or recorder does not exist; and such penalty shall be inflicted for each day such violation may be persisted in. Such penalty may be exacted against

the owner or lessee of the premises wherein such violation occurs, or both.

Repealer.

8. This act shall take effect immediately, and all acts and parts of acts inconsistent with the provisions hereof are hereby repealed.

Approved March 27, 1912.

CHAPTER 198.

An Act authorizing the incorporated cities, towns, townships, boroughs and municipalities governed by improvement commissions in this State, to fund their floating indebtedness and their matured and maturing bonds.

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

Provision for bond issue to take up floating indebtedness; causes for which incurred.

1. Whenever any incorporated city, town, township, borough or municipality governed by an improvement commission in this State shall have incurred, or shall incur, indebtedness, commonly known as floating indebtedness, of any kind whatsoever, whether incurred as hereinafter stated or in any other manner, that is to say, by reason of the setting aside of assessments, or by reason of the removal from the State of persons taxed before the payment of their taxes or by reason of a portion of the cost of any public improvement having the reduction or cancellation of taxes, real or personal, or by reason of money borrowed to meet payments required by law to be made but not included in any assessment or tax levy, or by reason of more than one of the above causes, or otherwise, it being the intent hereof to include floating indebtedness of every kind and howsoever incurred; or whenever any such city, town, township, borough or municipality governed by

an improvement commission, shall have purchased or may hereafter purchase, real estate and buildings subject to mortgage and has assumed the payment thereof and the sum secured by such mortgage is payable, or whenever any such city, town, township, borough or municipality governed by an improvement commission shall have borrowed, or shall hereafter borrow, money to enable it to pay, and shall have paid or shall hereafter pay, any of the interest or principal of any matured bonds with the money so borrowed and shall not have therefore included the amount, or any part of the amount of the money so borrowed in any tax levy or levies, assessment or assessments; and whenever any such city, town, township, borough or municipality governed by an improvement commission shall have issued, or shall hereafter issue, any bonds, improvement certificates, certificates of indebtedness, or other obligations for money honestly loaned to it in good faith, or for work performed or materials furnished, or has become lawfully chargeable with bonds or other obligation issued by the board of education or any other local board, and such bonds or other obligations are due or are to fall due within one year, and such city, town, township, borough or municipality governed by an improvement commission is without funds to meet the same, it shall be lawful for, and the power is hereby expressly conferred upon, the governing body of any such city, town, township, borough or other municipality governed by an improvement commission to issue bonds or other obligations for the purpose of paying off said floating indebtedness and extending the time when the several amounts thereof shall be discharged, by virtue of any proper ordinance to be passed at a regular meeting of such governing body, to the amount of ninety-six and two-thirds per centum, or to any less part of the amount of the said floating indebtedness, matured bonds not included in any tax levy, other bonds, improvement certificates, certificates of indebtedness, or obligations due or to become due as aforesaid issued for money honestly loaned to such municipality in good faith, or

for work performed or materials furnished, or such bonds or other obligations lawfully chargeable thereto (within the time aforesaid) issued by any board of education, or other local board; which bonds shall be made payable at periods of time not exceeding thirty years from the date of issuing the same, and shall draw interest at a rate not exceeding five per centum per annum; which bonds shall be for not less than one hundred dollars nor more than ten thousand dollars each and shall be executed under the corporate seal of said city, town, township, borough or municipality governed by an improvement commission and shall be signed by the mayor, chairman or other head executive officer or officers thereof and by the principal financial officer thereof (if any) and attested by the clerk; and which said bonds shall have coupons attached to every half year's interest until due, or may be registered at the option of the holder; which coupons, if attached, shall bear the names of the said executive officer, principal financial officer (if any) and clerk of the said city, town, township, borough or municipality governed by an improvement commission and shall be numbered to correspond with the bond to which they shall be respectively attached; and all the bonds issued under this act shall be numbered, and a register of such numbers, the date of said bonds, the date of issuing and the time of payment shall be made by or under the direction of the principal financial officer (if any) otherwise by or under the direction of the clerk of such municipality in a book provided for that purpose; all such bonds shall recite that they are issued in pursuance of this act and of the aforesaid ordinance, and shall set forth the date upon which such ordinance was adopted, which recital shall be conclusive evidence of their validity and the regularity of their issue; *provided,* that in order to redeem the bonds issued in pursuance of this act, at their maturity, it shall be the duty of the governing body of such city, town, township, borough or municipality governed by an improvement commission to establish a sinking fund, which shall be created by a special tax of

Time.

Rate.

Character of bond.

Recital in bond.

Proviso.

Sinking fund.

not less than three per centum upon the issue herein provided for, to be raised in the annual tax levy, or from the collections of assessments for improvements in cases where the indebtedness was originally incurred to pay for local improvements assessable upon lands particularly benefited, or both, at the option of the governing body thereof.

Provision for interest.

2. The interest on the bonds hereby authorized to be issued shall be raised by a special tax annually levied and collected with the other taxes of such municipality, and the whole of each year's interest shall be so raised, levied and collected, each year; and the governing body of such municipality may dispose of said bonds at public or private sale for the best price that can be obtained for the same, but at not less than their par value.

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

Approved March 27, 1912.

CHAPTER 199.

An Act concerning marriages (Revison of 1912).

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

Prohibited marriages.

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, recorder and police justice, and mayor of this State, and every minister of any religion, 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 passage of this act it shall be necessary for persons intending to be married within this State to first obtain a marriage license at least twenty-four hours prior to the time the ceremony is to be performed and deliver the same to the clergyman, magistrate or person who is to officiate, before the proposed marriage can be lawfully 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 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 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,

Proviso.

Where and by whom license issued.

then from the assessor of taxes of the township in which either the intended bride or groom resides. 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 appears that such person has been satisfactorily discharged from such asylum or institution.

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, excepting townships, and the assessor of every township in this State, is hereby empowered to issue marriage licenses to the contracting parties who 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.....

and 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.)

When duplicate license issued.

In case the contracting parties desire both a civil and religious marriage ceremony, the licensing officer shall issue a license in duplicate, marking one as "issued for civil marriage ceremony," and one as "issued for religious marriage ceremony," and such license or licenses when properly issued as provided in this section shall only be good and valid for thirty days after the date said license or licenses are issued.

Certain facts given.

On the reverse side of the marriage license shall be the form for the certificate of marriage, to which the person by whom, or the religious organization before whom the marriage was solemnized, shall personally or by legally authorized agent subscribe, after setting forth particularly therein the name, age, parentage, color, birthplace, occupation and residence of each of the persons married, the date and place of marriage, and the condition of each of the persons married, whether single, widowed or divorced, and the names and country of birth of the parents of each of the persons married. Each certificate of marriage shall furthermore contain, the signature and place of residence of at least two witnesses who were present at the 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 the contracting parties to appear and subscribe and swear to an oath or affirmation attesting the truth of the facts respecting the legality of the proposed marriage, which testimony shall be verified by a witness of legal age, residing in the municipality in which the license is issued, and he shall issue the said license only if it shall be thus made to appear before him that no legal impediment to such

License fee.

marriage exists. For issuing such license he shall be entitled to receive from the applicant the sum of one dollar.

Deputy may issue license.

6. Any official authorized to issue a marriage license under this act, may designate a deputy to issue licenses during his absence, and any such license when issued by any such deputy shall be as good and effectual as a license issued by any of the officials named in this act.

Information supplied licensing officers.

7. 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, and his and her witness 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.

8. If any such male applicant for a 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 guardian 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. If any such male applicant for a license to marry shall be a minor under the age of twenty-one years, and shall have been arrested on the charge of sexual intercourse, with a single, widowed or divorced female of good repute for chastity, and that such female has thereby become pregnant, said license to marry such female may be issued to any such applicant without the consent of the parents, or either of them, or of the guardian of either of said parties to such proposed marriage.

Penalty for perjury.

9. If any person applying for license under this act shall knowingly make false answer to any of the inquiries asked by the assessor, register 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. Every assessor, registrar and clerk, or their deputy, authorized by this act to issue marriage licenses is hereby empowered to administer oaths or affirmations to the parties applying for the license, and also to the identifying witness or witnesses.

Penalty for illegally performing marriages.

10. 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 or they shall be deemed guilty of a misdemeanor, and shall, upon conviction, be sentenced to imprisonment for a term not exceeding six months, or to 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 wilfully making false answers to any 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.

11. 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 of one hundred dollars, to be recovered as hereinafter provided.

Common law marriages.

12. 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.

13. Every certificate of marriage and every marriage license required to be made by this act shall be transmitted within five days after such solemnization, 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.

Penalty for not transmitting.

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 designated within the time aforesaid, shall be liable to a penalty of fifty dollars.

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 government in which such assessor,

Fee for transmittal.

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 certificates 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.

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 marriage 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, marriage

Indexing and preservation of records.

Records in evidence.

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 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 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.

Recovery of penalties.

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 muncipality 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.

Certain marriages validated.

19. All marriages heretofore performed by a minister of any religion, other than a stated and ordained minister of the gospel, if otherwise valid, shall be as valid as if the same had been performed by a stated and ordained minister of the gospel.

Repealer.

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

Approved March 27, 1912.

CHAPTER 200.

An Act in relation to municipalities authorizing the making of contracts for the furnishing of police patrol service.

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

Municipalities may contract for police patrol service.

1. It shall be lawful in any municipality of this State, where there is no police patrol service or hospital regularly maintained by such municipality, for the board, body or commission having charge of the finances of said municipality, to enter into a contract for the furnishing of police patrol service to the police department of such municipality on such terms as may seem just to the said board, body or commission; *provided,* that not more than four thousand dollars shall be appropriated by said board, body or commission in any one year for such services.

Proviso.

2. This act shall take effect immediately.

Approved March 27, 1912.

CHAPTER 201.

An Act to amend an act entitled "An act to regulate the importation of dependent children, and providing a penalty for violation thereof," approved May tenth, one thousand nine hundred and seven, so as to admit the importation of blind children under the age of twelve years.

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

Section 2 amended.

1. Paragraph two of the act referred to in the title of this act is hereby amended to read as follows:

Bond of indemnity.

2. Such person, corporation, association or institution, before bringing or sending or causing to be brought or sent, any such child into this State, shall first give an indemnity bond in favor of the State of New Jersey in the penal sum of one thousand dollars, to be approved by said Commissioner of Charities, conditioned as follows: That they will not send or bring, or cause to be brought, or sent into this State any child that is incorrigible, or one that is of unsound mind or body; *provided,* that nothing herein contained shall prevent the importation of blind children under the age of twelve years, subject to all other consistent provisions of this act; that they will at once, upon the placement of any child, report to the Commissioner of Charities its name and age, and the name and residence of the person with whom it is placed; that if any such child shall, before it reaches the age of twenty-one years, become a public charge, they will, within thirty days after written notice shall have been given them of such fact by the Commissioner of Charities, remove such child from the State; and if any such dependent child shall be convicted of crime or misdemeanor and imprisoned within three years from the time of its arrival within the State, such person, corporation, association or institution will remove from the State such child immediately upon its being released from such imprisonment, and upon failure, after thirty days' notice and demand to remove as aforesaid, any such child who shall become a public charge as aforesaid, or who shall have been convicted as aforementioned, in either event such person, corporation, association or institution shall, at once and thereby, forfeit such sum as the State, or any county or municipality thereof shall have expended in the care, maintenance or prosecution of such child; that they will place or cause to be placed, each of such dependent children under written contract, which will secure to such child a proper home, and will make the person so receiving such child responsible for its proper care, education and training; that they will properly supervise the care and training of each of such children, and that each of such children shall be visited

Proviso.

Conditions named in bond.

at least once a year by a responsible agent of the person, corporation, association or institution so placing, or causing to be placed, such child as herein provided; that they will make to the said Commissioner of Charities such reports of their work as said Commissioner of Charities from time to time may require.

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

Approved March 27, 1912.

CHAPTER 202.

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:*

1. In any suit based upon a claim for money due for wages or by reason of a claim for personal services rendered, the party bringing said suit, where the amount claimed shall not exceed the sum of twenty ($20.00) dollars, it shall be the duty of the clerk of any district court of this State, to issue the summons, prepare and file the state of demand and of the sergeant at arms of said court to serve the said summons without payment by the party bringing said action of any costs therefor, provided that said party shall make affidavit of the truth of his said claim and of his inability to pay the cost ordinarily taxed thereon. In suit for wages clerk of court to issue summons, etc.

2. The judge of the said district court may in his discretion upon the entering of judgment in such cases, order that the costs shall not be taxed thereon and in the event of judgment being entered against the defendant, the said clerk shall not be required to account As to costs.

for said costs until they have been actually paid to the said clerk: any judgment obtained under the provisions of this act shall only be satisfied by paying the amount of such judgment into court and the clerk shall thereupon deduct the costs before paying the amount of the judgment to the plaintiff.

3. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 203.

An Act to amend an act entitled "A supplement to an act entitled 'An act concerning district courts (Revision of 1898),' approved June fourteenth, one thousand eight hundred and ninety-eight," approved April twelfth, one thousand nine hundred and five.

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

Section 1 amended.

1. Section one of the act entitled "A supplement to an act entitled 'An act concerning district courts (Revision of 1898),' approved June fourteenth, one thousand eight hundred and ninety-eight," approved April twelfth, one thousand nine hundred and five, is hereby amended to read as follows:

Stenographer appointed upon application of either party.

1. Whenever either party to any cause in any district court, in this State, makes application to the judge thereof for the appointment of a stenographer to transcribe the proceedings at the trial of the said cause and take down the testimony therein, it shall be the duty of the said judge to designate a stenographer to act as aforesaid in said case, at the expense of the party so applying, which stenographer shall be duly sworn; and if an appeal shall be taken from, or a writ of certiorari allowed upon the judgment in said cause, the transcript of said proceedings and said testimony, made by said

stenographer, shall be certified by said judge as the state of the case, to be used on the hearing of said appeal or certiorari, and shall be transmitted by the party so appealing or suing out said writ of certiorari to the clerk of the Supreme Court within fifteen days from the rendition of the judgment.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 204.

An Act to change the name of the stream Double Creek in the county of Ocean, to Barnegat River.

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

Name changed.

1. The stream now known as Double Creek, in the county of Ocean, shall hereafter be known and designated as Barnegat River; and any and all general or special acts relating thereto shall remain in effect as if the name of the stream had not been changed.

When in effect.

2. This act shall take effect on the filing with the clerk of the county of Ocean a copy hereof, certified under the hand and seal of the Secretary of State.

Approved March 28, 1912.

CHAPTER 205.

A Supplement to an act entitled "An act to regulate the selection of grand and petit jurors in this State," approved March tenth, eighteen hundred and eighty.

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

Fish and game wardens exempt from jury duty.

1. Hereafter the members of the Board of Fish and Game Commissioners of this State, the Fish and Game Warden of this State, who has been designated by said Board as Fish and Game Protector, the Fish and Game Warden of this State, who has been designated by said board as Assistant Fish and Game Protector, and the Fish and Game Wardens appointed by said board, shall be exempt from liability to be drawn upon any panel of grand or petit jurors returned to any court of this State.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 206.

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

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

Section 24 amended.

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

Foreign will may be recorded to make title.

24. A copy of any will or of the record of any will of a decedent not resident in this State at the time of his death, admitted to probate in any state or territory of the United States or the District of Columbia, or in any foreign state or kingdom, and of the certificate of probate thereof, and of the letters granted, exemplified and authenticated according to the act of Congress, if it be the record of any state or territory of the United States or the District of Columbia, or certified in the manner required by the laws of the foreign state or kingdom in which such will shall have been proved and recorded to make it legal evidence in such foreign state or kingdom, if it be the record of a foreign state or kingdom, heretofore or hereafter filed and recorded in the office of the surrogate of any county in this State, shall, if it thereby appears that said will was executed in accordance with the laws of this State, have the same force and effect in respect to all lands and real estate whereof the testator died seized, as if said will had been admitted to probate and letters testamentary or of administration with the will annexed thereon had been issued in this State; and all conveyances of such real estate heretofore or hereafter made by any executor or executors, or administrator or administrators with the will annexed, trustee or trustees, substituted trustee or trustees, or the survivor or survivors of them, or by any devisee or devisees, or persons claiming under such devisees, shall be as valid as if said will had been admitted to probate and letters testamentary or of administration with the will annexed had been issued in this State; and such record or certified copies of said will, proofs, order for probate and letters, or of the record thereof, shall be received in evidence in all courts of this State.

Conveyances valid.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 207.

An Act respecting the laying out, opening, grading or regrading, paving or repaving of the streets, avenues or other public highways; the paving or repaving, the curbing or recurbing of the gutters or the resetting of existing curbs; the flagging or reflagging, or relaying existing flags or the construction or reconstruction of concrete and cement sidewalks or the grading or regrading of the said sidewalks in the villages of this State and providing for the payment of assessments for special benefits to property benefited thereby.

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

Temporary loan bonds may be issued.

1. When the governing body of any village in this State shall, by ordinance, provide for the laying out, opening, grading or regrading, paving or repaving of the streets, avenues or other public highways, the paving or repaving, the curbing or recurbing of the gutters or the resetting of existing curbs, the flagging or reflagging, or relaying existing flags or the construction or reconstruction of concrete and cement sidewalks or the grading or regrading of the said sidewalks, the cost thereof may be paid in current funds from the sale of temporary loan bonds, to be called "street improvement bonds," to be issued by the governing body of such village; said bonds shall bear interest at a rate not exceeding six per centum per annum, and shall not be sold for less than par, and shall be payable at the expiration of not more than ten years from the date of issue; and it shall be the duty of the proper officers of such village to keep a record of all such temporary loan bonds, and the time and place of payment both of principal and interest, and make proper provision for the payment of the same as herein provided.

Rate.

Time.

Assessments a lien.

2. Assessments upon property specially benefited by the work and improvements above mentioned in any village in this State shall be and remain a lien upon such property until paid, and shall be payable in ten annual installments, the first on or before thirty days from the date of the confirmation of such assessment, the second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth, in one, two, three, four, five, six, seven, eight and nine years after date of such confirmation respectively; the first installment of such assessment to be paid by the owner of property specially benefited shall equal one-tenth of the total assessment upon said property; the second shall be for a like amount together with interest computed at six per centum per annum upon the unpaid balance of such assessment, and each succeeding installment shall be for one-tenth of the amount of the original assessment together with interest computed at the rate of six per centum per annum upon the unpaid balance of the assesment; the owner of the property so assessed for special benefits may at his option pay the whole of the assessment on or before thirty days after the date of its confirmation, or at any time thereafter, with interest at six per centum per annum, instead of installments as herein provided for; in case any installment of such assessment is not paid at the time when the same is due and payable, and shall remain unpaid and in arrears for two months thereafter, the whole amount of such assessment shall then become and be due and payable at the option of such village, and interest upon such unpaid installment shall be computed at the rate of ten per centum per annum; and all such assessments shall be collected by such village in the manner now provided by law for the collection of assessments for street improvements in such village.

Payable in installments.

Interest added.

Whole amount may be paid.

If unpaid.

Provision for redemption.

3. The amounts assessed against such village at large shall be raised by taxation, one-tenth thereof in each year, and said amounts, together with all moneys received from the assessments for special benefits or the installments thereof, shall be pledged and used for the redemption of the outstanding temporary loan bonds issued as aforesaid.

Application of act.

4. This act shall apply to all improvements of the character hereinabove mentioned heretofore made and for which assessments have been levied, and to all such improvements which shall hereafter be made.

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

Approved March 28, 1912.

CHAPTER 208.

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

If partition impracticable course to pursue.

1. Whenever all of the defendants in any suit now pending or hereafter commenced in the Court of Chancery for the partition of real estate shall either fail to answer, or, by answer, shall admit or fail to deny the title of the complainant or of any co-defendant or co-defendants as alleged in the bill, and shall not contest the complainant's right to an actual partition of the said real estate or to a sale thereof, if an actual partition is found to be impracticable, but one or more of such defendants shall raise an issue of title as against any co-defendant or co-defendants, then, in such case, the complainant and each defendant whose title is not denied by any other defendant shall be entitled to a decree, that the interest of the complainant and of each such defendant whose title is not questioned be set off by actual partition, if an actual partition be practicable, and if not, that the real estate be sold and the complainant and each defendant whose title is not questioned be paid their share of the net proceeds of the sale without waiting for the determination of the question of title as between the various defendants. In such

Real estate. sold.

case the remainder of the proceeds of the sale of said real estate shall be paid into court to await the determination of the issue of title raised as aforesaid between the defendants, or where an actual partition has been made and the share of the complainant and of any defendant has been set off to him or them, the remainder of said real estate shall await the determination of said question of title between the defendants before being actually partitioned among such defendants. Remainder of proceeds to await determination of title.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 209.

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

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

1. In every case of conviction under the provisions of the act to which this is a supplement, when a fine is imposed, it shall be lawful for the defendant to pay the said fine, together with the costs, to the justice of the peace, police justice or city or town recorder acting as such, before whom such conviction is had; and that such justice of the peace, police justice or city or town recorder acting as such, shall receive the same, and within ten days thereafter, pay the said fine to the custodian of school moneys of the school district, where such offense was committed, for the use of the public schools thereof. Payment of fines

2. The following fees shall be allowed for services under the provisions of this act, which shall be in full of all other fees and charges whatsoever: Fees allowable

New Jersey State Library

To the justice of the peace, police justice or city or town recorder acting as such—

Drawing complaint,	$0.50
Issuing warrant,	0.50
Hearing or trial,	0.50
Conviction,	0.50

To officer for serving process—

Serving warrant,	$0.75
and mileage at the rate of four cents per mile.	
Serving every subpœna,	0.25
Serving commitment,	0.50

3. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 210.

An Act to amend 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:*

Section 23 amended.

1. Section twenty-three of the act above mentioned be and the same is hereby amended to read as follows:

Deeds may be acknowledged or proved in other States where the grantor or witnesses reside.

23. If the party who shall have executed, or who shall execute, any such deed or instrument of the description or nature above set forth in the twenty-first section of this act, or the witnesses thereto shall have happened, or shall happen, to be in some other State in the Union, or Territory thereof, or in the District of Columbia, whether such party or witnesses resided or reside in this State, or in such State, Territory or District, or elsewhere, then such acknowledgment or proof as is above prescribed, made before and certified by the Chief Justice of the United States, or any asso-

Before what officers.

ciate justice of the Supreme Court of the United States, or any master in chancery of this State, or any attorney-at-law of this State, or any circuit or district judge of the United States, or any judge or justice of the Supreme or the Superior Courts, or the Chancellor of any State in the Union, or Territory thereof, or District of Columbia, or any foreign commissioner of deeds for New Jersey, duly certified, under the official seal of such commissioner, or before and by any mayor or other chief magistrate of any city, borough, or corporation in such State, Territory, or District, duly certified under the seal of such city, borough or corporation, of which he was or is mayor or chief magistrate, such circuit or district judge, judge or justice of such Supreme or Superior Court, Chancellor of such State, foreign commissioner of deeds, mayor or other chief magistrate then having been or being anywhere within the circuit, district, State, Territory, District, city, borough, or corporation, for which he was or is appointed, or before and by any judge of any Court of Common Pleas of such State, Territory, or District, such judge then having been or being within the county or district in and for which he was or is such judge, duly certified that he was or is such judge under the great seal of such State, or under the seal of the county court of the county or district in which it is made and in and for which he was or is such judge, or before and by any officer in any such State of the Union, Territory thereof, or District of Columbia, then residing, and being anywhere in such State, Territory or District, authorized at the time of such proof or acknowledgment by the laws of such State, Territory, or District, to take proofs and acknowledgments; *provided,* in such case the certificate of acknowledgment or proof shall be accompanied by a certificate under the great seal of such State, Territory, or District, or under the seal of some court of record in the county, in which it was or shall be made, that the officer before whom such acknowledgment of proof was or shall be made was, at the time of the taking of said proof or acknowledgment, authorized by the laws of such State, Territory, or District, to take acknowledgments and proofs

Proviso.

shall be as good and effectual as if such acknowledgment or proof had been made within this State before the Chancellor thereof and had been certified by him.

Approved March 28, 1912.

CHAPTER 211.

An Act to amend an act entitled "A supplement to an 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," which supplement was approved April 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 the act to which this is an amendment shall be amended to read as follows:

Consents validated.

2. All consents heretofore given either to the individual incorporators of a proposed company in and by their individual names or to a proposed incorporator by his individual name and his associates or to a proposed company in and by its proposed corporate name or to a proposed individual incorporator are hereby validated, ratified and confirmed where such company has filed its certificate of incorporation and such consent in the office of the Secretary of State, and such company has constructed, maintained and operated water works and supplied water; *and provided further,* that such company shall obtain the approval of the State Water Supply Commission to any validation contemplated under this act, and which approval said commission may grant or withhold at its discretion.

Proviso.

3. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 212.

An Act to amend an act entitled "An act to authorize the improvement of public roads or streets in townships of this State," approved March twenty-second, nineteen hundred and one.

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

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

1. It shall be lawful for the township committee of any township of this State, on its own motion by resolution or, on the application in writing to said township committee by some of the owners of the lands fronting on any public road or street in said township, the grade of which has been heretofore established by ordinance of such township, or any section of such road or street, or by some of the owners of lands which would be specially benefited by such improvement, to proceed to improve such road or street or section thereof, not exceeding the limits applied for or specified in the resolution of the township committee by grading, paving, macadamizing, flagging, planking, curbing and guttering, or by regrading, repaving, remacadamizing, reflagging, replanking, recurbing, and reguttering the same in such manner and with such materials as set forth in such resolution or petition, and under the supervision of the township engineer; that on the adoption of such resolution or on receipt of such petition, the said township committee shall immediately thereafter, by resolution, direct the township clerk to advertise the said resolution, application or petition for two weeks, one in each week, successively, in one or more newspapers published in such county and circulating in said township, and to post copies of the said resolution or Petition for road or street improvements in townships.

Public notice.

petition in five of the most public places in said township, designated by the township committee, for ten days prior to the time fixed for the hearing of objections to such improvement; the clerk shall also publish and post, as above, a notice, stating that objections in writing to the said proposed improvement may be filed with him, and of the time and place when and where the township committee will meet to consider such objection, which time shall not be less than ten days after the date of the first publication of such petition and notice as aforesaid; said clerk shall also serve, or cause to be served, a like notice on the owners of property along the route of said proposed improvement by delivering a copy of said notice to the owner in person or by leaving the same at his place of residence, or by mailing the same with postage prepaid, directed to said owner at his last known post-office address, or by posting the same upon the premises at least five days previous to the time designated in such notice; *provided,* no assessment shall be set aside or affected by reason of the failure of the township clerk to serve said notice; at the expiration of said time designated for publishing and posting, the township clerk shall file in his office a copy of said resolution or petition and notice, with an affidavit annexed showing that the same has been published and posted as required by this act; at any time after the expiration of the time named in said notice the township committee may proceed to pass an ordinance for said improvement, unless the owners of two-thirds of the property along the route of the proposed improvement object thereto, in which case all costs and expenses incurred by the township committee in such proceeding shall, upon demand of the township committee, be repaid to the township by the petitioners for such improvements, if there be petitioners; and the township committee may make such regulations touching the receiving of any petitions and proceedings thereon, and security for the expenses thereof, as they may deem proper; the ordinance shall be valid if it describes in general language the improvements authorized by the township committee, and shall be passed,

Proviso.

Rules relative to petitions.

engrossed and published in the manner prescribed by law for the passage and publication of other ordinances in townships of this State, and it shall not be necessary to state therein any other matter or thing connected with said improvement. Ordinance.

2. All acts or parts of acts inconsistent with this act, whether general or special, be and the same are hereby repealed. Repealer.

3. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 213.

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:*

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, notwith- Election to authorize bond issue validated.

standing 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 March 28, 1912.

CHAPTER 214.

An Act authorizing the use of armories for the promotion of agriculture and horticulture and for exhibition purposes by associations incorporated to encourage and promote the scientific breeding and raising of poultry and pigeons in this State, upon paying reasonable compensation for such use.

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

Armories may be used for certain purposes.

1. It shall be lawful for the commanding officer of the regiment having the use of any armory, subject to the approval of the military board, to permit such armory to be used by the State Board of Agriculture for its annual or other meetings and for exhibition purposes by any duly incorporated association, approved by the State Board of Agriculture, and having for its objects the encouragement and promotion of the horticulture and scientific breeding and raising of poultry and pigeons in this State, subject to such regulations as may be prescribed by said commanding officer, and also subject to the payment of such reasonable compensation for the use of such armory as shall be agreed upon by and between such commanding officer and such association.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 215.

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

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

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

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

I. Against loss or damage to property by fire, lightning or tempest on land; Fire.

II. Upon vessels, freights, goods, moneys, effects, bottomry and respondentia interest, and every insurance appertaining to or connected with marine and inland risks of transportation and navigation; Marine.

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

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 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; Motor vehicles, horses, etc.

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

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

Defalcations. 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;

Titles. 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;

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

Burglary. X. Against loss by burglarly or theft;

Glass. XI. Against the breakage of glass;

Sprinkling apparatus. 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;

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

May be either stock or mutual. Companies may be formed upon the stock plan to transact any kind of insurance authorized by this section, or upon the mutual plant to transact the kinds of insurance described in subdivisions first, third, fourth, fifth and eleventh hereof.

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

Capital necessary to begin business.

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

Temporary organization of mutual life companies.

A mutual life insurance company may be organized with a temporary capital stock of not less than one hundred thousand dollars, which shall be invested in the same manner as is provided for the investment of its other funds, and in such case the amount of premiums required to be engaged and collected before commencing business shall be ten thousand dollars. The holders of said stock shall elect such number of the directors of the company as shall constitute a bare majority of the entire board, and the rest of the directors shall be elected by the policyholders in such manner and with such representation as may be provided in its certificate of incorporation; and after the retirement of such capital stock all the directors shall be so elected by the policyholders. Out of the net surplus of the company the holders of the temporary capital stock

Directors.

may receive a divdend of not more than ten per centum per annum, which may be cumulative. Such capital stock shall not be a liability of the company, except that it shall be retired when the surplus of the company becomes sufficient to pay the same at its par value and leave a surplus of not less than the amount of the temporary capital so retired.

Amount of applications necessary before commencing business.

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

Continuance of membership.

Liability of policy holder.

Organization of glass insurance companies.

A mutual company organized to make insurance against the breakage of glass shall not be authorized to commence business until engagements shall have been entered into for insurance with said company, the premiums on which shall amount to at least five thousand dollars, and notes of solvent parties, based on

bona fide applications for insurance upon property located within this State, shall have been received in advance therefor; such notes shall be considered the capital stock of such company, and shall be valid and collectible for paying any losses which may accrue, or for any other lawful use or purpose.

Section 76 amended.

3. Section seventy-six of the act to which this act is an amendment is hereby amended to read as follows:

Amount of insurance written.

76. No insurance company transacting business in this State shall issue or renew any policy or policies on any one risk in excess of ten per centum of its net assets; so much, however, of any such risk as shall be reinsured in any company lawfully transacting business in this State, shall not be considered part of said risk; *provided,* this section shall not apply to a life insurance company or to a title or mortgage insurance company, nor shall it apply to a mutual company formed under this act and making insurance solely against loss or damage resulting from accident to or injury suffered by an employe of any member of such company for which loss or damage such insured member is liable, and which limits its membership exclusively to persons engaged in the same trade or industry.

Proviso.

Repealer.

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

Approved March 28, 1912.

CHAPTER 216.

An Act to regulate and limit the hours of employment of females in any manufactory, mercantile establishment, in any bakery, laundry or restaurant, in order to safeguard the health of such employee; to provide for its enforcement and a penalty for its violation.

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

Employment of women.

1. No female shall be employed, allowed or permitted

to work in any manufacturing or mercantile establishment, in any bakery, laundry or restaurant more than ten hours in any one day, or more than six days, or sixty hours in any one week; *provided,* that nothing herein contained shall be held to apply to any mercantile establishment for the six working days next preceding the twenty-fifth day of December in each year; *and provided further,* that nothing herein contained shall apply to canneries engaged in packing a perishable product such as fruits or vegetables.

Proviso.

Proviso.

Inspection duties.

2. It shall be the duty of the Commissioner of Labor, the assistant commissioner or the inspectors and they shall have power to investigate and inspect, all establishments coming under the intent and provisions of this act.

POSTING LAW.

Abstract of law furnished those affected.

3. An abstract of this law shall be prepared and furnished by the Commissioner of Labor to every corporation, firm or person in this State who is affected thereby, and every such corporation, firm or person shall post such abstract of this law and keep it posted, in plain view, in such place that it can be easily read by the employees or operatives in going in or coming out from said manufacturing or mercantile establishment, bakery, laundry or restaurant, and shall also keep a record of the hours of work of each employee in a proper book prepared for that purpose which book shall be open to the inspection of the department of labor as required.

Record of service kept.

Penalties.

4. Whoever employs any female or permits any female to be employed in violation of any of the provisions of this act shall be punished for a first offence by a fine of not less than twenty-five nor more than fifty dollars, and for a second offence by a fine of not less than fifty nor more than two hundred dollars.

PROCEDURE.

Proceedings how brought.

5. All proceedings brought under the provisions of this act shall be by action of debt, in the name of the

Commissioner of Labor, but for the use of the State, to be instituted in any district court of a city, recorders' courts of cities, or before any justice of the peace having due jurisdiction, and the first process shall be by summons, which process shall be served on the owner or owners, person or persons engaged in or operating the business as aforesaid wherein the alleged violation of the law has taken place, if such owner or owners, person or persons reside in the county where the offence was committed; or if the owner or owners, person or persons as aforesaid do not reside in the county where the offence was committed, then said process shall be served on the superintendent, foreman or person in charge of the business; service upon a corporation shall be made upon the president, vice-president, secretary or any director, and if none of them reside in the county where the offence was committed, and cannot be found therein, then said service may be made upon the superintendent, foreman or person in charge of the business at least ten days before the return day thereof; all proceedings thereafter shall be the same as in an action of debt in said court; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court, on application, after notice to the defendant, may award an execution to take the body of the defendant, if an individual, and in case such defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the State, but shall only be discharged by the court making the order for the body execution or one of the justices of the Supreme Court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs; all moneys collected under the provisions of this act shall be paid into the treasury of the State of New Jersey.

Service of summons.

Findings.

Execution issued.

6. "Manufacturing establishments" as used in this act means any place where articles for use or consumption are regularly made.

Manufacturing establishments.

Mercantile establishments.

7. "Mercantile establishment" as used in this act means any place where goods, wares or merchandise are offered for sale.

Bakery.

8. "Bakery" as used in this act shall include all buildings, rooms or places where biscuits, pies, bread, crackers, cakes and confectionery are made or manufactured for sale.

Restaurant.

9. "Restaurant" as used in this act means any place where refreshments, both food and drink, and where meals are served to the public.

Laundry.

10. "Laundry" as used in this act means any place where laundry work is regularly carried on.

Validity of sections.

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

In effect.

12. This act shall take effect October first, one thousand nine hundred and twelve.

Approved March 28, 1912.

CHAPTER 217.

An Act concerning tuberculosis.

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

County hospitals for tubercular diseases.

1. The board of freeholders of any county shall have power to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis.

Powers of freeholders.

When said board shall have voted to establish such hospital, it shall have the following powers:

Property.

To purchase and lease real property therefor, or acquire such real property, and easements therein, by condemnation proceedings, in the manner prescribed by an act to regulate the ascertainment or payment of com-

pensation for property condemned or taken for public use (Revision of 1900), and the supplements thereto and the amendments thereof.

To erect all necessary buildings, make all necessary improvements and repairs and alter any existing buildings, for the use of said hospital; *provided,* that the plans for such erection, alteration or repair shall first be approved by the State Board of Health. Buildings. Proviso.

To cause to be assessed, levied and collected such sums of money as it shall deem necessary for suitable lands, buildings and improvements for said hospital, and for the maintenance thereof, and for all other necessary expenditures therefor; and to borrow money for the erection of such hospital and for the purchase of a site therefor on the credit of the county, and issue county obligations therefor, in such manner as it may do for other county purposes. Money provided.

To appoint a board of managers for said hospital as hereinafter provided. Managers.

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 in acordance with the terms of the gift. Trusteeship.

2. When the board of 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 two shall be practicing physicians, who shall constitute a board of managers of the said hospital. The term of office of each member of said board shall be five years, and the term of one of such managers shall expire annually; the first appointments shall be made for the respective terms of five, four, three, two and one years. Appointments of successors shall be for the full term of five years, except that appointment of persons to fill vacancies occurring by death, resignation or other cause shall be made for the unex- Board of managers. Term. Vacancies.

pired term. 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. The managers shall receive no compensation 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 the hospital by the board of freeholders. Any manager may at any time be removed from office by the board of freeholders of the county, for cause after an opportunity to be heard.

No salary; expenses allowed.

Organization.

3. The board of managers shall elect from among its members a president and one or more vice-presidents. It shall appoint a superintendent of the hospital who shall be also 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 qualified practitioner of medicine or other person trained for work of said character.

Superintendent.

Duties of board of managers.

Said board of managers shall fix the salaries of the superintendent and all other officers and employes within the limits of the appropriation made therefor by the board of freeholders, and such salaries shall be compensation in full for all services rendered. The board of managers shall determine the amount of time required to be spent at the hospital by said superintendent in the discharge of his duties. Shall have the general superintendence, management and control of the said hospital, of the grounds, buildings, officers and 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 may seem to them necessary for carrying out the purposes of such hospital. Shall maintain an effective inspection of said hospital and keep itself informed of the affairs and management thereof; shall meet at the hospital at least once in every month, and at such other times as may be prescribed in the by-laws; and shall hold its annual meeting at least three weeks prior to the meeting of the board of freeholders, at

which appropriations for the ensuing year are to be considered.

Records kept.

Shall keep in a book provided for that purpose a proper record of its proceedings which shall be open at all times to the inspection of its members, to the members of the board of freeholders of the county and to duly authorized representatives of the State Commissioner of Charities and Corrections, and of the State Board of Health.

Certification of accounts.

Shall certify all bills and accounts, including salaries and wages, and transmit them to the board of freeholders of the county, who shall provide for their payment in the same manner as other charges against the county are paid.

Annual report to freeholders.

Shall make to the board of 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 appropriations required during the ensuing year for all purposes, including maintenance, the erection of buildings, repairs, renewals, extensions, improvements, betterments or other necessary purposes.

The superintendent.

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

Equip hospital.

Shall, with the consent of the board of managers, 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, and shall purchase all necessary supplies.

General supervision.

Shall have general supervision and control of the records, accounts and buildings of the hospital, and all internal affairs, and maintain discipline therein, and enforce compliance with and obedience to all rules, by-laws and regulations adopted by the board of managers for the government, discipline and management of said

hospital and the employes and inmates thereof. He shall make such further rules, regulations and orders as he may deem necessary, not inconsistent with law, or with the rules, regulations and directions of the board of managers.

Resident officers, etc.

Shall, with the consent of the board of managers, 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.

Accounts and records kept.

Shall cause proper accounts and records of the business and operations of the hospital to be kept regularly from day to day in books and on records provided for that purpose; and see that such accounts and records are correctly made up for the annual report to the board of freeholders, as required by section three of this chapter, and present the same to the board of managers, who shall incorporate them in their report to the said supervisors.

Receive applicants.

Shall receive into the hospital, under the general direction of the board of managers, in the order of application, any person found to be suffering from tuberculosis in any form who has 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. Said superintendent shall cause to be

Record of admissions.

kept proper accounts and records of the admission of all patients, their names, age, sex, color, marital condition, residence, occupation and place of past employment.

Physical condition of patients.

Shall cause a careful examination to be made of the physical condition of all persons admitted to the hospital and provide for the treatment of each such patient according to his need; and shall cause a record to be kept of the condition of each patient when admitted, and from time to time thereafter.

Discharge certain inmates.

Shall temporarily discharge from said hospital any patient who shall wilfully or habitually violate the rules thereof; or who is found not to have tuberculosis; or

who is found to have recovered therefrom; or who for any other reason is no longer a suitable patient for treatment therein; and shall make a full report thereof at the next meeting of the board of managers; who shall make such final disposition of the case as they may think proper.

Financial matters.

Shall 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 county collector within ten days after such meeting.

Bond given.

Shall before entering upon the discharge of his duties give a bond in such sum as the board of managers may determine, to secure the faithful performance of such duties.

Application 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 receipt of such application, if it appears therefrom that the patient is suffering from tuberculosis, and if there be a vacancy in the said hospital, shall notify the person named in such application to appear in person at the hospital. If, upon personal examination of such patient, or of any patient applying in person for admission, the superintendent and board of managers are satisfied that such person is suffering from tuberculosis, he shall admit him to the hospital as a patient. All such applications shall state whether, in the judgment of the physician, the person is able to pay in whole or in part for his care and treatment while at the hospital; and every

Examination of applicant.

Ability to pay.

Admissions in order of application.

application shall be filed and recorded in a book kept for that purpose in the order of their receipt. When said hospital is completed and ready for the treatment of patients, or whenever thereafter there are vacancies therein, admission to said hospital shall be made in the order in which the names of applicants shall appear upon the application book to be kept as above provided, in so far as such applicants are certified to by the superintendent to be suffering from tuberculosis. No discrimination shall be made in the accommodation, care or treatment of any patient because of the fact that the patient or his relatives contribute to the cost of his maintenance in whole or in part, and no patient shall be permitted to pay for his maintenance in such hospital a greater sum that the average per capita cost of maintenance therein, including a reasonable allowance for the interest on the cost of the hospital; and no officer of employe of such hospital shall accept from any patient thereof any fee, payment or gratuity whatsoever for his services.

No discriminations.

Gratuities forbidden.

Circumstances and family liability.

6. Whenever a patient has been admitted to said hospital from the county in which the hospital is situated, the superintendent shall cause inquiry to be made 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 liable 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 possessed 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. Should there be a dispute as to the ability to pay, or doubt in the mind of the super-

Charge per patient.

When patient a public charge.

In case of disputes.

intendent, the Court of Common Pleas may hear and determine same, after calling witnesses, and make such order as may be proper.

Inspection of hospitals records, etc.

7. 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 or maintained under the provisions of this act shall be subject to inspection by any duly authorized representative of the State Board of Charities, of the State department of health, of the State Charities Aid Association and of the board of 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.

If hospital connected with almshouse.

8. 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 freeholders shall appoint a board of managers for such hospital, and such hospital, and its board of managers, shall thereafter be subject to all the provisions of this act, in like manner as if it had been originally established hereunder. Any hospital which may hereafter be established by any board of freeholders shall in like manner be subject to all the provisions of said section.

Rules for care of tubercular persons.

9. It shall be the duty of the State Board of Health from time to time to make rules and regulations for the care of persons suffering with tuberculosis, and for the prevention and spread of that disease; these rules shall be published and copies thereof sent to each board of health and to each practicing physician within the State, on or before the first day of April of each year, and to such other persons or societies as may request the same, and in such quantities as desired. The duty of enforcing said rules and regulations and seeing that they are enforced shall be upon the State Board of Health, for which purpose the State Board of Health

Enforcement.

may issue orders to local boards of health and practicing physicians.

Duty of local health boards.

10. It shall also be the duty of every local board of health to enforce said rules and regulations.

Commitment for failure to observe rules.

11. If any person fails to obey any of the said rules or regulations, the offender may be committed to the county hospital by any judge of the Court of Common Pleas, upon proof of service upon the offender of said rules and regulations, and proof of violation thereafter. The court may also make such order for the payment for care and treatment as may be proper. After commitment such person may be discharged by the said court at any time when said court thinks it proper so to do.

When patient may be isolated.

12. Any person so committed to such county hospital who fails to remain there, or who neglects or refuses to obey the rules and regulations of that institution, may be when in the judgment of the superintendent it is necessary, be isolated or separated from other persons and restrained from leaving the institution.

Amount paid by State per patient.

13. There shall be paid by the State Treasurer each year to the counties maintaining such hospitals three dollars per week for each person in such institution during the time of such confinement; except those paying full maintenance.

Number of hospitals in a county.

14. When deemed advisable by the board of freeholders and approved by the State Board of Health, a county may maintain more than one county hospital for the purpose aforesaid.

Freeholders may contract for care of sufferers.

15. It shall be lawful for any board of freeholders to contract with any regularly incorporated society or municipality maintaining a hospital, for the care of any or all of the tuberculosis inhabitants of the county, upon such terms and conditions as they may by agreement think proper. Where a municipality now or hereafter maintains within such municipality, a hospital for tubercular patients, it shall be the duty of the county wherein situated, if requested by such municipality, to maintain in such city hospital the tubercular patients resident in said city and shall make payment to said city for such care and maintenance.

Pertaining to municipal hospitals.

Provision for hospitals where none exist.

16. Where no provision is made as provided in section fifteen and no county hospital is now provided for the purpose aforesaid, it shall be the duty of the board of freeholders of each such county, within six months from the time this act takes effect, to provide for the erection of such county hospital or hospitals as may be necessary for that purpose, and from time to time add thereto accommodations sufficient to take care of the tuberculosis patients of the county. This time may be extended by the State Board of Health for good cause shown. The style and character of said buildings to be first approved by said board of managers.

State board may compel.

Upon failure to do so, it shall be the duty of the State Board of Health to proceed by mandamus to compel compliance with this act.

Investigation of cases reported.

17. When cases of tuberculosis are reported to the State Board of Health as now or hereafter provided by law it shall be the duty of the State Board of Health by its officers or those of the local board of health to investigate such cases for the purpose of ascertaining whether the rules and regulations of the State Board of Health as to the care and treatment of persons suffering with tuberculosis, and for the prevention and spread of the disease are being complied with.

Joint county hospitals.

Where found to be more practical, and when approved by the State Board of Health, two or more counties may join for the purposes of this act, and erect one or more hospitals for their joint use, under the terms and conditions above set forth for a single county.

Powers and liabilities.

In such case such combined counties shall have the same powers, and be subject to the same liabilities as a single county, herein provided for; and the Court of Common Pleas shall in such case have the same powers for the purposes of enforcing this act, as are herein provided for in case of single counties.

18. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 218.

An Act concerning concentrated commercial feeding stuffs.

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

Definition.

1. The term "commercial feeding stuffs" shall be held to include all feeding stuffs used for feeding live stock and poultry, except whole seeds or grains, the unmixed meals made directly from the entire grains of corn, wheat, rye, barley, oats, buckwheat, flaxseed, Kafir and milo; neither shall it include whole hays, straws, cottonseed hulls and corn stover when unmixed with other materials, nor shall it include any materials containing sixty per centum or more of water.

Parcels labeled.

2. Every lot or parcel of commercial feeding stuffs sold, offered or exposed for sale or distributed in this State shall have affixed thereto a tag or label, in a conspicuous place on the outside thereof, containing a

Statement

legible and plainly printed statement in the English language, clearly and truly certifying:

(a) The net weight of the contents of the package, lot or parcel;

(b) The name, brand or trade-mark;

(c) The name and principal address of the manufacturer or person responsible for placing the commodity on the market;

(d) The minimum per centum of crude protein;

(e) The minimum per centum of crude fat.

(f) The maximum per centum of crude fiber;

(g) The specific name of each ingredient used in its manufacture.

The crude protein, crude fat and crude fiber shall be determined by the methods in force at the time by the Association of Official Agricultural Chemists of North America.

Information furnished State Chemist.

3. Each and every manufacturer, importer, jobber, firm, association or person desiring to sell, offer or expose for sale or distribute in this State any commercial feeding stuff, he or they shall file annually, on the first day of January of each year, a certified statement on blanks furnished by the chemist of the New Jersey Agricultural Experiment Station, and herein termed the State Chemist, giving the information required in section two, with the exception of the net weight of the package, together with a list of the principal agents or dealers throughout the State, with their addresses, and also a permit allowing the State Chemist or his deputy to examine the books of the party registering the brand or brands in order to verify, if necessary, the reports of said party as to the tonnage sold. Should a manufacturer, importer, jobber, firm, association, corporation or person desire in any year to sell, offer for sale or distribute a new brand of commercial feeding stuff and the statement was not filed on the first day of January, as required by this section, he or they may proceed to sell the same after the requirements of this act have been complied with. On receipt of the certified statement for each brand of commercial feeding stuff described in this section, and after compliance with all the requirements of this act, the State Chemist shall issue a certificate of registration for each brand, and said certificate shall be in force for the fiscal year which ends on the thirty-first day of December. A brand name once registered shall not be changed to a lower grade at any subsequent registration. The certified statement shall be accompanied, when the State Chemist shall so request, by a sealed package containing at least one pound of the commercial feeding stuff to be sold, offered or exposed for sale or distributed in this State, and the company or person furnishing said sample shall thereupon make affidavit that the said sample is representative of the commercial feeding stuff offered for registration.

Sale of new brands.

Certificate issued.

Semi-annual statement filed with State Chemist.

4. For the purpose of defraying the expenses connected with the inspection of concentrated commercial

feeding stuffs sold or offered for sale in this State and experiments relative to the value thereof, all corporations, firms or persons engaged in the manufacture or sale of concentrated commercial feeding stuffs shall, on July first and January first of each year, make a statement under oath in due form of law, which shall be filed with the State Chemist and which shall set forth the number of net tons of such feeding stuffs sold during the preceding six months; and upon such statement shall pay to the New Jersey State Experiment Station the sum of eight (8) cents per net ton of two thousand pounds. Nothing contained in this section shall interfere with commercial feeding stuffs passing through the State in transit.

Fee paid Experiment Station.

As to registration of trade-marks.

5. The State Chemist shall have power to refuse to register any commercial feeding stuff under a name, brand or trade-mark which would be misleading or deceptive, or which would tend to mislead or deceive as to the materials of which it is composed, or when the specific name of each and all ingredients used in its manufacture are not stated. He shall also have the power to refuse to register more than one commercial feeding stuff under the same name or brand when offered by the same manufacturer, importer, jobber, firm, association, corporation or person. Should any commercial feeding stuff be registered in this State and it is afterwards discovered that such registration is in violation of any of the provisions of this act, the State Chemist shall have power to cancel such registration. The State Chemist shall have power to refuse to allow any manufacturer, importer, jobber, firm, association, corporation or person to change the ingredients of any brand of his or their commercial feeding stuff after it has been registered unless satisfactory reasons are presented for making such change or changes.

Cancellation of registration.

Change of ingredients.

Only one statement and fee.

6. Whenever a manufacturer, importer, jobber, firm, association, corporation or person manufacturing or selling a brand of commercial feeding stuff shall have filed the statement required by section three, and paid the inspection fees as required by section four of this act, no other agent, importer, jobber, firm, association,

corporation or person shall be required to file such statements or pay such fees upon such brand.

State Chemist to have right of entry.

7. The State Chemist is authorized, in person or by deputy, to have free access to all places of business, mills, buildings, carriages, cars, vessels and parcels of whatsoever kind used in the manufacture, transportation, importation, sale or storage of any commercial feeding stuff, and shall have the power and authority to open any parcel containing or supposed to contain any commercial feeding stuff, and upon tender and full payment of the selling price of said sample, to take therefrom, in the manner prescribed in section eight, samples for analysis, and said State Chemist shall annually cause to be analysed at least one sample so taken of every commercial feeding stuff that is found sold, offered or exposed for sale or distributed in this State.

Secure samples.

Sample taken in presence of witness.

8. A representative sample of each brand of commercial feeding stuff found sold, offered or exposed for sale shall be taken by the said State Chemist or his duly authorized representative in the presence of at least one witness whenever the circumstances permit. No action shall be maintained for a violation of the provisions of this act, based upon an analysis of a sample taken from less than five separate original packages, unless there be less than five separate original packages in the lot, in which case portions of the official sample shall be taken from each original package; if the commercial feeding stuff is in bulk, portions shall be taken from not less than five different places in the lot; *provided,* that this does not exclude sampling in bulk when not exposed sufficiently to take portions from five different places, in which case portions are to be taken from as many places as practicable. If the sample thus secured is larger than is required, it shall be mixed and quartered until a sample of suitable size remains. If the said witness desires a portion of the sample and furnishes a suitable receptacle for it, the State Chemist or his representative taking the sample must seal and deliver a portion as requested. The other sample must be sealed, properly marked and forwarded to the laboratory of the State Chemist. The results of the analysis,

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Samples sealed.

Results of analysis published.

together with such additional information as the said State Chemist may deem advisable, shall be transmitted to the manufacturer or person responsible for the placing of the commodity on the market, and shall be published in reports or bulletins from time to time. If the manufacturer or person responsible for the placing of the commodity so sampled upon the market be unable to secure the sample delivered to the person apparently in charge of the feeding stuff sampled, he shall, upon request to the State Chemist, be furnished with a portion of the official sample referred to in this section. The methods of analysis shall be those in force at the time by the Association of Official Agricultural Chemists of North America.

Report sent to manufacturer.

9. The report of the State Chemist on official samples shall be forwarded to the manufacturer or person responsible for the placing of the commodity upon the market, at least ten days before the report is submitted to the purchaser, and if no word is received from the manufacturer or person responsible for the commodity before the expiration of the ten days, the report shall become official. In case of violations, any party so notified shall be given an opportunity to be heard in his defence under such rules and regulations as may be prescribed by the State Chemist before the facts shall be certified to the proper person. If it appears that any provision of this act has been violated, a statement of the State Chemist, when duly sworn to, giving the results of his analysis or other examination, or those results obtained under his direction, shall be prima facie evidence of the fact or facts therein certified.

Hearing in case of violations.

Violations a misdemeanor.

10. Any manufacturer, importer, jobber, firm, association, corporation or person who has sold, offered or exposed for sale or distributed in this State any commercial feeding stuff for which the required statement of tonnage sold has not been made nor the fees paid, has rendered a false statement and paid fees in accordance therewith, or has impeded, obstructed, hindered or otherwise prevented or attempted said State Chemist or his authorized agent in the performance of his duty in connection with the provisions of this act, or who has

sold, offered or exposed for sale or distributed in this State any commercial feeding stuff as defined in section one, without complying with the requirements of the provisions of this act, or who has sold, offered or exposed for sale or distributed in this State any commercial feeding stuff which contained a smaller per centum of crude protein or crude fat or a larger per centum of crude fiber than has been certified to be contained therein, or who has failed to properly state the specific name of each and every ingredient used in its manufacture shall be deemed guilty of a violation of the provisions of this act and upon conviction thereof shall be deemed guilty of a misdemeanor. Any manufacturer, importer, jobber, firm, association, corporation, or person who shall mix or adulterate any feeding stuff with any substance or substances injurious to the health of live stock or poultry shall be deemed guilty of a violation of the provisions of this act and the lot of feeding stuff shall be subject to seizure, condemnation and sale as the court may direct; the proceeds from such sale to be paid to the Treasurer of the State of New Jersey. The court may in its discretion release the feeding stuff so seized when the requirements of the provisions of this act have been complied with, and upon payment of all costs and expenses incurred by the State in any proceedings connected with such seizure.

Injurious adulterations.

11. The inspection tax collected by the New Jersey State Agricultural Experiment Station shall be paid to the State Treasurer and after being appropriated as now provided by law the money thus accounted for shall be expended under the authority of the director of the New Jersey Agricultural Experiment Station in defraying the expenses of the inspection, chemical and other examination of commercial feeding stuffs, preparation of inspection tags, and in printing of bulletins giving the results of the inspection, and should there be a surplus, the surplus shall be used by the New Jersey Agricultural Experiment Station under the authority of its director for experiments and research relative to the science of agriculture, or feeding experiments, or

Disposition of inspection tax.

both as may seem to be to the greatest advantage and to publish bulletins giving the results of these experiments.

State Chemist to enforce act.

12. The State Chemist is hereby empowered to enforce the provisions of this act and to prescribe the form of tags to be used to show that the inspection tax has been payed and to prescribe such rules and regulations relating to the sale of commercial feeding stuff as he may deem necessary to carry into effect the full intent and meaning of this act.

Repealer.

13. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

In effect.

14. This act to become in force the first day of December, one thousand nine hundred and twelve.

Approved March 28, 1912.

CHAPTER 219.

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:*

Board of works.

1. In all boroughs, now or hereafter owning, maintaining or operating a water-works, a sewerage and drainage systems, or disposal plants, or an electric lighting plant, it shall be lawful for the council to pass and adopt an ordinance providing for a board of public works.

Appointment.

2. When such ordinance shall have been adopted, it shall be lawful for the mayor of any borough to nominate and, with the advice and consent of the council, to appoint six citizens of such borough, who shall constitute and be known as the "Board of Public Works," to hold office for the term of three years and until their successors shall have qualified; *provided,* that at the time of the first organization of said commission, two

Proviso.

members shall be appointed for a term of three years, two members for a term of two years, and two members for a term of one year; and thereafter two members shall be appointed each year for the full term of three years, so that the term of two members shall expire at the end of each year.

Powers vested in board.

3. The said board of public works, when so appointed, shall be vested with all the powers, authority, rights and privileges, and shall have imposed upon them all the duties which are now vested in or imposed upon the mayor and council of such borough:

Supply water.

(*a*) Laying of pipes for the conveying of water for private and public use in the streets, highways, alleys, or beneath the sidewalks of said borough and to regulate the same. To provide means for extinguishing fires in said borough. For providing water for the extinguishment of fires, and for the maintenance and operation of a system of water-works and water supply.

Sewerage.

(*b*) Providing for sewerage or drainage of the borough and for the maintenance and operation of such system and a sewerage disposal plant.

Lighting.

(*c*) Providing for and regulating the lighting of streets and public places of said borough, the construction or purchase of suitable plants, works or machinery for supplying light for public or private use and for the maintenance or operation thereof. For lighting the streets and public places of the borough, and the maintenance and operation of any lighting plant owned by the borough.

Laws applicable.

And all laws, parts of laws, statutes and parts of statutes now in force or in anywise applicable to the said purposes, be and they are hereby in all respects continued in full force and made applicable to the said boards of public works, when so appointed, except so far as the same may conflict with or be inconsistent with the meaning of this act.

As to issuing bonds.

4. Nothing in this act, however, shall be construed to authorize the issuing of bonds by said boards of public works, said power being reserved where it is now vested by law.

5. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 220.

An Act to amend an act entitled "An act to authorize any incorporated town in this State to purchase fire engines, or other fire apparatus, equipment and appliances for protection against fire, and to provide a method for raising money for the payment thereof," approved April fifteenth, nineteen hundred and eleven.

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:

Purchase fire apparatus.

1. It shall be lawful for the common council or other governing body of any incorporated town in this State when, in the judgment of a majority of the members thereof it is necessary so to do, to purchase fire engines or other fire apparatus, equipment or appliances, to be used for fire department purposes in such town, at a cost not to exceed the sum of fifteen thousand dollars.

Section 2 amended.

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

Purchase by contract.

2. Any purchase of such fire engines or other fire apparatus, equipment or appliances shall be done by contract, awarded upon at least two weeks' advertisement in a newspaper published or circulating in said town.

Section 3 amended.

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

Bond issue.

3. The common council or other governing body having the management and control of the finances of such town are hereby authorized and empowered to issue bonds, either registered or coupon, in an amount not

Amount.

exceeding the sum of fifteen thousand dollars, to raise the money to pay for the purchase of such fire engines or other fire apparatus, equipment or appliances; said bonds shall state upon their face the purpose for which

they were issued and the term for which such bonds shall run shall not be longer than fifteen years from the date thereof; they shall bear interest at not exceeding five per centum per annum, and be sold at not less than par; they shall be redeemable at any time after the expiration of five years at the option of the town and shall be of denominations of not less than five hundred dollars. Time. Rate.

4. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 221.

An Act to annex to the borough of Manasquan a part the township of Wall, in the County of Monmouth.

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

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: Part of Wall township annexed to Manasquan.

Beginning at a point where the northerly boundary line of the borough of Mansquan terminates in the shore of the Atlantic ocean, at ordinary high water-mark; thence northerly along the shore of the Atlantic ocean, at ordinary high water-mark, to the southerly boundary line of the Sea Girt camp ground of the State of New Jersey; thence westerly along said southerly line of said Sea Girt camp ground, until it intersects the northerly boundary line of the borough of Manasquan, thence easterly along said northerly boundary line of the borough of Manasquan, 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 Manasquan in said county. Boundaries.

2. This act shall take effect immediately.

Approved March 28, 1912.

New Jersey State Library

CHAPTER 222.

An Act to regulate the compensation of clerks in the office of city comptroller in cities of the first class.

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

Clerks' salaries.

1. It shall be lawful for the Comptroller of any city of the first class in this State, by and with the consent of the board of finance, or common council, or finance committee of the common council therein, to fix the salaries of such clerks as may at present be employed therein, or at any future time may be appointed in such amounts as the board of finance or common council or finance committee of the common council in such cities shall determine.

Bond issue to meet deficiency.

2. Any deficiency in appropriation necessary to comply with the provisions of this act shall be provided for 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 28, 1912.

CHAPTER 223.

An Act to provide for the employment of inmates of penal, correctional and reformatory institutions of this State, or of any political subdivision thereof, upon the roads and highways of the State and its political subdivisions.

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

County prisoners may be ordered to work on roads.

1. The board of chosen freeholders of any county may, in their discretion, order the sheriff to cause per-

sons under sentence in the county jail, or other county penal institution, except females and persons incapable of manual labor, or so many of them as may be required, to be put to work and perform labor on the public roads and highways within such counties.

Application for State prisoners.

2. The board of chosen freeholders of any county or the State Commissioner of Public Roads, desiring any number of prisoners confined in the State penal institutions to labor on roads or highways, may make application to the Prison Labor Commission for such prisoners, stating the number desired. Said Prison Labor Commission, in conjunction with the governing body of the institution from which such prisoners are to be detailed, shall determine the number to be assigned, the cost of transportation and maintenance, the compensation for labor, and may enter into an agreement with said board or boards or with said commissioner for the payment of said costs or any portion thereof. The said commission shall fix all rules of discipline and shall detail such guards as in its judgment shall be advisable.

Regulations governing employment of State prisoners.

Conditions of working.

3. The governing body of any institution from which prisoners have been detailed is hereby authorized to assign the inmates to such work on roads and highways, and, conditioned upon their good behavior and cheerful compliance with all rules that may be made governing their conduct, may grant additional good time allowance not to exceed one-third of their minimum sentence, provided that no prisoner shall be so assigned who has not a good conduct record.

Supervision and care of prisoners.

4. All work herein provided for shall be performed under the supervision of the county authorities or State Commissioner of Public Roads. Said authorities and said commissioner may lawfully expend any moneys available for repair and maintenance of roads to meet the cost of housing and feeding such prisoners while at work, or any portion of such cost, and for the purchase of tools, machinery, supplies and road-building materials needed.

Discipline.

5. The discipline and custody of such inmates assigned shall remain under the control of the respective institutions.

Repealer.

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

Approved March 28, 1912.

CHAPTER 224.

An Act to incorporate the borough of Fair Haven, in the county of Monmouth.

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 Shrewsbury, in the county of Monmouth, contained within the limits hereinafter set forth, are hereby constituted and declared to be a body politic and corporate in fact and in law by the name of the Borough of Fair Haven, and shall be governed by the general laws of this State relating to boroughs.

2. The territorial limits of said borough shall be as follows:

Boundaries.

Beginning at a point in the high-water mark of the North Shrewsbury river where the same would be intersected by the center line of Buena Vista avenue if the said avenue were projected in a straight line to said high-water mark; thence (1) in a southeasterly direction on the prolongation of said center line of said Buena Vista avenue and on the said center line of Buena Vista avenue as now laid out to the intersection of the center line of the Ridge road; thence (2) in a southwesterly direction along the center line of the Ridge road to a point where the same is intersected by the center line of Prospect street; thence (3) in a northwesterly direction along the center line of Prospect street to a point where the same is intersected by the boundary line of the borough of Red Bank; thence (4) in a northerly direction along the boundary line of the borough of Red Bank to a point where the same intersects the high-water mark of the North Shrewsbury river; thence (5)

in a generally easterly direction along the high-water mark of the North Shrewsbury river to the place of beginning.

Referendum.

3. This act shall not become operative until the provisions of this act shall be submitted to the voters of the territory comprehended by the aforementioned borough limits at a special election and approved by a majority of the voters voting at such election upon the question of the approval or disapproval of said act, and said act shall be submitted to the voters in accordance with the provisions of the general election law regulating the method of submitting legislative acts with other questions at special elections; such special election shall be held within the said proposed borough limits on the twenty-third day of April, one thousand nine hundred and twelve, between the hours of six o'clock in the forenoon and seven o'clock in the afternoon of the said day; and notice thereof shall be given by the clerk of said township, and shall be published in a newspaper circulating in the territory hereinbefore described and published at Red Bank, New Jersey, at least eight days prior to such election. It shall also be posted for the same length of time in five of the most public places in the territory hereinbefore described; and said election shall be held in the manner now prescribed for the election of borough officials.

Date of election.

Notice.

Election of officers.

4. The first election of officers in and for said borough of Fair Haven shall be held within thirty days after this act shall have been approved by a majority of the voters voting as aforesaid (if approved), and notice thereof shall be given by the clerk of the said township of Shrewsbury, in the county of Monmouth aforesaid; said notice shall be published in a newspaper circulating in the territory hereinbefore described and published at Red Bank, New Jersey, eight days prior to said election, and shall also be posted for the same length of time in five of the most public places in the territory hereinbefore described, and the said election shall be held in the manner now prescribed for the election of borough officials.

5. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 225.

A Further Supplement to an act entitled "An act for the punishment of crimes (Revision of 1908)," 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:*

Carrying dangerous weapons a misdemeanor.

1. Any person who shall carry any revolver, pistol, firearm, bludgeon, blackjack, knuckles, sand-bag, slung-shot or other deadly, offensive or dangerous weapon, or any stiletto, dagger or razor or any knife with a blade five inches in length or over concealed in or about his clothes or person, shall be guilty of a misdemeanor; provided, however, that nothing in this act shall be construed to prevent any sheriff, prosecutor, deputy sheriff, jailer, police officer, constable, State detective, member of a legally organized detective agency, or any other peace officer from carrying weapons when engaged in the discharge of his duty; nor to duly authorized military or civil organizations, when parading nor to members thereof when going to and from the places of meeting of their respective organizations; nor shall this act apply to any person having a written permit to carry such weapon, firearm, stiletto, razor, dagger or knife, or slung-shot, obtained from and signed by the mayor of any city, borough or other municipality, or from any judge of the Court of Common Pleas, which permits such officers are hereby authorized to grant. Such permits shall be issued at the place of residence of the person obtaining the same, and, when issued shall be in force in all parts of the State for a period of one year from date of issue, unless sooner revoked by the officer granting the same, and said permit shall be dated and shall be recorded in the office of the clerk of the

Provisc.

Exceptions.

Permits.

county where granted within ten days after the granting of same, and in the event of the recipient failing to record the same as herein provided said permit shall be deemed and taken to be revoked and cancelled. It is further provided, that nothing contained herein shall prevent any person from keeping or carrying about his or her place of business, dwelling house or premises any of such weapons, firearms, stilettos, daggers, razors, knives or slung-shots, or from carrying the same from any place of purchase to his or her dwelling house or place of business, or from his or her dwelling house or place of business to any place where repairing is done, to have the same repaired and returned; and it is provided further, that nothing in this act shall be construed to make it unlawful for any person to carry a gun, rifle or knife in the woods or fields, or upon the waters of this State, for the purpose of hunting or target practice.

Proviso.

Proviso.

Sale, etc., of deadly weapons a misdemeanor.

2. A person who manufactures, or causes to be manufactured, or sells or keeps for sale, or offers, or gives, or disposes of any instrument or weapon of the kind usually known as a blackjack, slung-shot, billy, sand-club, sand-bag, bludgeon, or metal knuckles, to any person; or a person who offers, sells, loans, leases, or gives any gun, revolver, pistol or other firearm, or any air-gun, spring-gun or other instrument or weapon in which the propelling force is spring or air, or any instrument or weapon commonly known as a toy pistol or in or upon which any loaded or blank cartridges are used, or may be used, or any loaded or blank cartridges or ammunition therefor, to any person under the age of twenty-one years, is guilty of a misdemeanor; *provided, however,* that nothing in this section shall prevent any person between the ages of sixteen and twenty-one from obtaining any gun, revolver, pistol or other firearm, air or spring-gun, if the consent in writing of the parent or guardian of said minor so to do be presented to the person from whom such weapon be obtained agreeable to the provisions of this act.

Proviso.

Use, or carrying certain weapons a high misdemeanor.

3. A person who attempts to use against another, or who carries, or possesses any instrument or weapon of

the kind commonly known as a blackjack, slung-shot, billy, sand-club, sand-bag, metal knuckles, bludgeon, dagger, dirk, dangerous knife, razor, stiletto, revolver, bomb or other high explosive, or any other dangerous or deadly instrument or weapon, with the intent to use the same unlawfully against another is guilty of a high misdemeanor; the possession by any person other than a public officer or one having a permit for the same as herein provided, of any weapons specified in the foregoing section, concealed or furtively carried on the person, is presumptive evidence of carrying, or concealing, or possessing, with intent to use the same in violation of this section.

Intent of possession.

Dealers to keep record of sales.

4. Every person selling a pistol, revolver or other firearm of a size which may be concealed upon the person whether such seller is a retail dealer, pawnbroker or otherwise, shall keep a register in which shall be entered at the time of sale the date of sale, name, age, occupation and residence of every purchaser of such a pistol, revolver or other firearm, together with the calibre, make, model, manufacturer's number or other mark of identification on such pistol, revolver or other firearm. Every person who shall fail to keep a register and to enter therein the facts required by this section, shall be guilty of a misdemeanor. Such register shall be open at all reasonable hours for the inspection of any peace officer. Every person becoming the lawful possessor of such a pistol, revolver or other firearm, who shall sell, give or transfer the same to another person without first notifying the police authorities, shall be guilty of a misdemeanor. This section shall not apply to wholesale dealers.

Register open to inspection.

Repealer.

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

Approved March 28, 1912.

CHAPTER 226.

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

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

Section 1 amended.

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

Transfer tax on decedents' property.

1. A tax shall be and is hereby imposed upon the transfer of any property, real or personal, of the value of five hundred dollars or over, or of any interest therein or income therefrom, in trust or otherwise, to persons or corporations, in the following cases:

Resident of State.

First. When the transfer is by will or by the intestate laws of this State from any person dying seized or possessed of the property while a resident of the State.

Non-resident.

Second. When the transfer is by will or intestate law, of property within the State, and the decedent was a non-resident of the State at the time of his death.

Transfer before death to take effect afterwards.

Third. When the transfer is of property made by a resident or by a non-resident, when such non-resident's property is within this State, by deed, grant, bargain, sale or gift made in contemplation of the death of the grantor, vendor, or donor, or intended to take effect, in possession or enjoyment, at or after such death.

Estate in expectancy.

Fourth. When any person or corporation comes into the possession or enjoyment, by a transfer from a resident or non-resident decedent when such non-resident decedent's property is within the State, of an estate in expectancy of any kind or character which is contingent or defeasible, transferred by an instrument taking effect

after the passage of this act, or of any property transferred pursuant to a power of appointment contained in any instrument taking effect after the passage of this act.

Rate payable to State.

2. All taxes imposed by this act shall be at the rate of five per centum upon the clear market value of such property, to be paid to the Treasurer of the State of New Jersey, for the use of said State, and all administrators, executors, trustees, grantees, donees or vendees, shall be personally liable for any and all such taxes until the same shall have been paid as hereinafter directed, for which an action of debt shall lie in the name of the State of New Jersey.

Exceptions.

3. Property passing to churches, hospitals and orphan asylums, public libraries, bible and tract societies, religious, benevolent and charitable institutions, and organizations, or to a father, mother, husband, wife, child or children, or lineal descendant born in lawful wedlock, brother or sister, or the wife or widow of a son, or the husband of a daughter, or to any child or children adopted as such in conformity with the laws of this State, of the decedent, or to any child to whom such decedent for not less than ten years prior to such transfer stood in the mutually acknowledged relation of a parent; *provided, however,* such relationship began at or before the child's fifteenth birthday and was continuous for said ten years thereafter, shall be exempt from taxation under this act, but no other exemption of any kind shall be allowed.

Proviso.

4. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 227.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and twelve."

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

State publications distributed to libraries.

1. The following sum, or so much thereof as may be necessary, be and the same is hereby appropriated out of the State fund for the following purpose, viz.: To the State House Commission, for the purpose of carrying out the provisions of chapter one hundred and fifty-four of the Laws of one thousand nine hundred and seven, five hundred dollars ($500).

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 228.

An Act to amend an act entitled "An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water-rates or water-rents in cities of this State, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment," approved March thirtieth, one thousand eight hundred and eighty-six.

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

Section 6 amended.

1. Section six of said act be amended so as to read as follows:

Persons having estates or liens of record may redeem.

6. Any person or persons having an estate or interest in, or mortgage or lien upon, any lands and premises sold in pursuance of the fourth section of this act, whose estate, interest, mortgage or lien appears of record in the county, may at any time, before the expiration of six months after notice shall have been given to him of such sale by the purchaser, his heirs or assigns, in the manner hereinafter provided, or before a deed of said premises shall have been delivered, as provided in this act, redeem said lands and premises by paying to the treasurer of the city, for the use of the purchaser, his heirs and assigns, the sum paid by him at such sale, with interest from the date of the sale, at the rate of ten per centum per annum, upon the amount due to the city at the date of sale on account of the particular arrearage or arrearages of unpaid taxes, assessments and water-rates or water-rents for which such sale is made, and upon the costs of such sale allowed by law, and one dollar for each notice served as hereinafter provided; and upon such redemption the city shall pay to such purchaser, his heirs or assigns, the amount received from the person redeeming; such notice shall be in writing and shall be served by the purchaser of the property or his agent or said owner, mortgagee or other person having an interest in or lien upon said lands and premises, either personally or by leaving the same at his place of abode with a member of his family above the age of fourteen years; in case such owner, mortgagee or other person having an interest in or lien upon said lands and premises is a non-resident, or his residence cannot, upon due inquiry, be ascertained, then the notice may be served by publishing the same in a newspaper printed and circulating in the city for a period of six weeks, at least once in each week, and depositing a copy of such notice, within twenty days after its first publication, in the post-office of the city, enclosed in a wrapper, postpaid,

When redemption may be made.

Notice of purchase served.

Residence ascertained.

directed to such owner, mortgagee or other person interested in or having a lien upon said lands and premises at his or her last known post-office address, if the same can be ascertained; in case such owner, mortgagee or other party having an interest in or lien upon said lands and premises be a corporation heretofore created under and by virtue of any law of this State, and by reason of its dissolution, its directors, or any other persons, thereupon shall have become trustees for the purpose of winding up the affairs of such corporation, such notice may be served personally upon any such trustee, and if there be no trustee surviving, then such notice may be served personally upon the eldest son of the trustee who last survived, provided such eldest son be of the age of twenty-one years; inquiry for the residence or post-office address of such owner, mortgagee or other person having an interest in or lien upon said lands and premises shall be made by the purchaser or his agent upon the lands purchased at the sale, if they are occupied, and wherever else in the city the same may be likely to be ascertained, and also by an examination of the record of the deed, mortgage or other instrument on account of which such notice is given; an affidavit shall be made by the purchaser or his agent setting forth the manner and particulars of the service, and, in case the same is made by publication, setting forth what inquiry was made to asecrtain the residence and post-office address of such owner, mortgagee or other person having an interest in or lien upon said lands and premises, and in such case an affidavit of the publication shall also be made by the person publishing such newspaper, or by someone in his employ having cognizance of the publication, stating the particulars thereof; and the affidavit or affidavits shall be filed in the office of the clerk of the city within one month after the date of service and shall be prima facie evidence in all courts and place of the facts therein stated; the purchaser shall be entitled to the possession of said lands immediately upon giving such notice to the owner thereof, in case the same are unoccupied, or, if they are occupied, then within thirty days thereafter; and he shall

In case of defunct corporations.

Inquiry for persons having liens.

Possession by purchaser.

have the same remedy by writ of assistance or otherwise in the circuit court of the county in which the city is situate, or in the Court of Chancery, for the recovery of the possesion of said lands as the purchaser of mortgaged premises at a foreclosure sale is now or may hereafter be entitled to by any law or practice of this State;

Proviso. *provided, however,* that if any estate in any of the said lands shall be held by any heir or devisee of a decedent whose estate appears of record in the county, or if any mortgage or lease shall be held by the executor or administrator of any decedent whose mortgage or lease appears of record in the county, such heir, devisee, executor or administrator shall be entitled to redeem and to have notice as aforesaid before the purchaser shall be

Proviso. entitled to the possession of the lands; *and provided also,* that the records and schedules of all sales made under this act shall be filed and kept in the same offices of the several cities wherein records of tax sales are now by law required to be kept.

Application. 2. This act shall apply to purchasers of lands and premises at a sale for unpaid taxes, assessments, water rates or water rents held prior to the time this act takes effect, as well as to purchasers at such sale held thereafter.

3. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 229.

An Act making an appropriation for the use of the State Highway Commission, in laying out and constructing a drive along the Delaware river, to be known as the Delaware river drive.

Preamble. WHEREAS, By chapter one hundred and fourteen of the laws of the State of New Jersey of the year one thousand nine hundred and eleven, the State High-

way Commission, was authorized and directed to have a survey made of a proposed State drive along the Delaware river from Trenton to the New York State line; and

WHEREAS, The State Highway Commission has had such a survey made and has designated the route following the course of the river, and opening up to the people of our State the scenic wonders of the Delaware, unsurpassed by anything in eastern States.

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

1. The State Highway Commission is hereby authorized and directed to lay out, secure the necessary right-of-way, and have constructed, a drive along the Delaware river, from Trenton to the New York State line, to be known as the "Delaware River Drive," on the lines of the survey made, and now on file in the office of the Commissioner of Public Highways, which survey was authorized under chapter 114, laws of 1911, as the same may be changed by the State Highway Commission from time to time. Right of way.

2. The State Commissioner of Public Roads shall, under the direction of the State Highway Commission, have prepared the necessary plans and specifications for the purpose of this act, and when approved by the commission, he shall advertise for bids on the work, and material covered by the plans and specifications. He shall have complete supervision of the construction. Plans and specifications prepared. Supervision.

3. The commissioner may reject any bid not in accordance with the advertisement or specification, or for other irregularity, or may reject any or all bids if the prices for work or material is excessively above the estimated cost. He shall prepare a list of the bids, including any rejected and the cause therefor, and award the contract to the lowest responsible bidder, subject, however, to its ratification by the State Highway Commission, to whom it shall be submitted, together with the summary of bids, within fifteen days from the date of the award. The award shall be final Rejection of bids. Awarding contract.

on written approval of a majority of said commission, given separately or in session, or whenever empowered so to do by their resolution, by approval of its presiding officer, when other than the said commissioner.

May be constructed in sections.

4. The said Delaware river drive, may be constructed in sections, the extent of which may be determined by the State Highway Commission, who shall also determine the point or points at which the said construction shall commence and the section or sections that shall be first constructed.

Appropriation.

5. The sum of one million, five hundred thousand dollars is hereby appropriated, or so much thereof as may be necessary for the purpose of this act, payable in amounts of three hundred thousand dollars in each consecutive year for five years, commencing with the year one thousand nine hundred and thirteen; *provided, however,* that no part of said appropriation shall be available in any one year in excess of the sum that may be appropriated for the purpose by any annual or supplemental appropriation bill.

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6. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 230.

An Act to grant and release the title and interest of the people of the State of New Jersey in and to certain real estate of which Jordan Block, also known as Jurgen Block, died seized, in the borough of Tenafly and borough of Cresskill, in the county of Bergen and State of New Jersey.

Preamble.

WHEREAS, One Jordan Block, also known as Jurgen Block, late of the borough of Tenafly, in the county of Bergen and State of New Jersey, departed this life on the twenty-seventh day of October, eighteen

hundred and eighty-nine, seized of the following tracts of land; all, then and still, unimproved.

List of tracts set forth.

First: Lots fifteen (15), sixteen (16), seventeen (17) and eighteen (18) in block lettered "B," fronting on Monroe avenue, thirty-three (33), thirty-four (34), thirty-five (35) and thirty-six (36) in said block lettered "B," fronting on Madison avenue; Lots fourteen (14), fifteen (15), sixteen (16) and seventeen (17) in block lettered "C," fronting on Prospect street, and lots thirty-six (36), thirty-seven (37), thirty-eight (38) and thirty-nine (39) in said block lettered "C," fronting on Monroe avenue, each of said lots being twenty-five (25) feet wide in front and rear and one hundred (100) feet in depth on each side, as laid down on a certain map entitled "Map of property belonging to James W. Gillies, situated at Cresskill, Bergen County, N. J.", all in the borough of Cresskill, Bergen county, New Jersey; said first named eight lots being conveyed to him by Daniel Christie and wife and Simeon Westervelt and wife by deed dated February 27th, 1872 and recorded in the office of the clerk of the county of Bergen, February 24th, 1873, in book T-8 of deeds for said county, on pages 480, etc.; and the second named eight (8) lots being conveyed to him by James W. Gillies and wife by deed dated November 4th, 1869, and recorded November 16th, 1869, in book N-7 of deeds for said county.

Second: All those four lots in the borough of Tenafly, known as lots three (3), four (4), nine (9) and ten (10) in plot "E" on map known as "Map of property of Michael Flannelly at Highwood Park, Tenafly Station, Bergen County, New Jersey," conveyed to him by John McKeon and Cornelius Dever, executors of Michael Flannelly, deceased, by deed dated February 28th, 1883, recorded in Bergen county clerk's office March 1st, 1883, in book I-11, of deeds for said county, on pages 197, etc.;

Preamble.

AND WHEREAS, The said Jordan Block died October twenty-seventh, one thousand eight hundred and eighty-nine, intestate leaving him surviving his

daughter Lizzie Block and his widow Elizabeth Block;

AND WHEREAS, The said Lizzie Block died seized of said premises on the twenty-first day of October, eighteen hundred and ninety, intestate and unmarried and leaving no issue or heirs at law, but leaving her mother Elizabeth Block her surviving;

AND WHEREAS, The said lands were purchased in part with money of the said Elizabeth Block, and she believed that they belonged to her and had paid all the taxes thereon from the death of her said husband up to the year one thousand nine hundred and nine, and the assessments up to the year one thousand nine hundred and eight;

AND WHEREAS, The said Elizabeth Block during the latter part of her life had been ill for a considerable period from a malignant cancer and had been looked after and taken care of by one John McClay and members of his family, did on the eleventh day of January, nineteen hundred and eleven, execute her last will and testament in due form of law, therein and thereby giving, devising and bequeathing all of her estate both real and personal after the paying of her debts and funeral expenses to the said John McClay;

AND WHEREAS, The said Elizabeth Block died seized of lot number eight (8) in block "E" on the said map, with the building thereon erected, and with the belief that she was also seized in fee of all of the rest of the property herein described, and the said John McClay, having the like belief, he raised by mortgaging the said lands in the borough of Tenafly, for a sufficient amount to pay all the debts of said Elizabeth Block, and all the taxes and assessments upon all of the said real estate and the mortgage upon the said lot eight (8), in block "E," amounting in the aggregate to about thirteen hundred (1300) dollars;

AND WHEREAS, The said Lizzie Block, the daughter and the said Elizabeth Block, left no person or persons, capable of inheriting said lands, tenements and hereditaments;

AND WHEREAS, The requisite and proper notice of intention to apply for the passage of this act has been given and duly published; now therefore,

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

Title vested in John McClay.

1. All the estate, right, title and interest of the State of New Jersey or the people of the said State, in, to and upon all the above described lots or tracts of land and premises, whereof the said Jordan Block and Lizzie Block died seized, with the appurtenances thereunto belonging, or in any wise appertaining, be and the same is hereby granted and released unto the said John McClay, his heirs and assigns forever.

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

Approved March 28, 1912.

CHAPTER 231.

A Supplement to an act entitled "An act to regulate the practice of courts of law (Revision of 1903)."

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

1. SHORT TITLE AND CONSTRUCTION.

Title and act how construed.

The short title of this act is "The Practice Act (1912)". It shall be liberally construed, to the end that legal controversies may be speedily and finally determined according to the substantive rights of the parties. The rule that statutes in derogation of the common law must be strictly construed shall not apply to this act.

2. DEFINITIONS.

Definitions.

The following terms, for the purposes of this act, have the following meanings: The word "may" is not mandatory; the term "Practice Act" refers to the act to which this is a supplement; the "rules" herein mentioned are rules of court.

3. SINGLE FORM OF ACTION.

One form civil action.

There shall be but one form of civil action in the courts of common law, which shall be denominated an "Action at Law", but this shall not apply to proceedings upon Prerogative Writs; *provided* that subject to rules, a writ of mandamus may be awarded in such an action. The process and pleadings in all actions shall be according to rules of court.

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Parties.

4. PARTIES.

Subject to rules, all persons claiming an interest in the subject of the action and in obtaining the judgment demanded, either jointly, severally or in the alternative, may join as plaintiffs, except as otherwise herein provided. And persons interested in separate causes of action may join if the causes of action have a common question of law or fact and arose out of the same transaction or series of transactions.

5. SAME SUBJECT.

When plaintiff made defendant.

If one who may join as plaintiff declines to do so, he may be made a defendant, the reason therefor being stated in the complaint.

6. SAME SUBJECT.

Who made defendant.

Subject to rules, any person may be made a defendant, who, either jointly, severally or in the alternative, is alleged to have or claim an interest in the controversy, or in any part thereof, adverse to the plaintiff, or whom it is necessary to make a party for the complete determination or settlement of any question involved therein.

Separate actions.

The plaintiff may join separate causes of action against several defendants if the causes of action have a common question of law or fact and arose out of the same transaction or series of transactions.

7. SAME SUBJECT.

Executors, etc.

An executor, administrator, or trustee, of an express trust (including one with whom a contract is made for the benefit of another) may sue or be sued without joining the person beneficially interested in the suit.

8. SAME SUBJECT.

Court may direct others brought into suit.

The court may determine the controversy as between the parties before it, where it can do so without prejudice to the rights of others; but where a complete de-

termination cannot be had without the presence of other parties, the court may direct them to be brought in. Where a person, not a party, has an interest or title which the judgment will affect, the court, on his application, shall direct him to be made a party.

9. NON-JOINDER, MISJOINDER. Non-joinder; misjoinder.

No action shall be defeated by the non-joinder or misjoinder of parties. New parties may be added and parties misjoined may be dropped, by order of the court, at any stage of the cause, as the ends of justice may require.

10. SAVING CLAUSE.

No change in parties, made by order of court, shall impair any previous attachment of the estate or body of any person remaining a defendant in the action; nor impair bonds or recognizances of any person remaining a party, either as against himself or his sureties; nor impair receipts to an officer for property attached; and, when parties are changed, the court may order new bonds if such new bonds are deemed necessary. Orders of court concerning change in parties may be upon terms at the discretion of the court. Changes made by court not to impair.

11. JOINDER OF CAUSES OF ACTION. Causes may be joined.

Subject to rules, the plaintiff may join any causes of action.

12. COUNTER-CLAIM. Counter-claim.

Subject to rules, the defendant may counter-claim or set off any cause of action. He may, and when required by the court shall, issue summons against any third party necessary to be brought in; but, in the discretion of the court, separate trials may be ordered, or if the counter-claim cannot be conveniently disposed of in the pending action, the court may strike it out.

13. FAILURE OF CONSIDERATION. Failure of consideration.

In an action upon a contract, whether under seal or not, the defendant may set up in abatement of the debt or damages claimed, a defect in, or partial failure of the consideration of the contract sued on.

14. DEFAULT IN PLEADING. Default in pleading.

Judgment of nonsuit or by default may be entered against plaintiff or defendant respectively for failure to plead according to the rules.

15. SUMMARY JUDGMENT.

Defense must be sincere.

Subject to rules, any frivolous or sham defense to the whole or to any part of the complaint may be struck out; or, if it appear probable that the defense is frivolous or sham, defendant may be allowed to defend on terms. Defendant, after final judgment, may appeal from any order made against him under this section.

16. SAME SUBJECT.

If answer struck out.

If the answer as filed, or after any part thereof shall be struck out, leaves a part of the plaintiff's claim uncontested, judgment interlocutory or final may be entered for such part as is not contested and the cause may proceed to trial as to the residue.

17. PRELIMINARY REFERENCE.

References.

The court may, under such conditions as it may fix, require any or all motions preliminary to trial to be heard and determined by Supreme Court Commissioners designated by the court, and may fix their fees which shall be costs in the cause.

18. ADMISSIONS.

Admission of certain facts.

Any party may call upon any other party, by written notice, to admit (but only for the purposes of the cause) the existence, due execution, signing or mailing of any document; and to admit any other specific facts relevant to the issue mentioned in the notice. In case of refusal or neglect to make such admission within such time as may be fixed by rules or special order, the reasonable expense of proving the same (to be taxed by the court) shall be paid by the party so notified, whatever the result of the trial may be, unless the trial judge shall certify that the neglect or refusal was reasonable. But the court may allow any party to amend or withdraw such admission on terms.

Reservations.

19. RESERVING QUESTIONS OF LAW; SUBMITTING CASE IN ALTERNATIVE.

The court may reserve any question of law and may submit the case to the jury upon alternative propositions of law in respect to the right to relief or damages. In either of such cases judgment shall be entered, (and if appealed shall be dealt with) according to the right as it shall be finally determined.

Judgments.

20. JUDGMENT; EXECUTION.

Judgment may be given for or against one or more of several plaintiffs, and for or against one or more of several defendants; and the court may determine the ultimate rights of the parties on each side as between themselves, and grant to the defendant any affirmative relief to which he may be entitled; and when a complaint or a cause of action is sustained in favor of, or against, only a part of the parties thereto, judgment (interlocutory or final) may be rendered in favor of or against such parties respectively at any stage of the proceedings. But an unsatisfied judgment against one, or some, of several joint contractors, shall not discharge the other joint contractors from liability on the contract. The court shall control the proceedings so that the plaintiff shall receive but one satisfaction. One writ of execution may issue upon one or more judgments entered in the same cause.

Execution.

Form of judgment.

21. FORMS OF JUDGMENT.

Judgment may be entered in such form as may be required by the nature of the case and by the recovery or relief awarded.

22. JUDGMENT WITHOUT PLEADING.

Judgment final.

Subject to rules, judgment final may be entered, without process or pleadings, upon a statement of the right in controversy and an agreed statement of facts, or a stipulation agreeing upon certain facts and submitting other issues in the case for trial. In either case, subject to rules, the parties may, at their option, agree upon the judge who shall hear and determine the case, and the judgment of the court may be entered upon his findings.

23. AMENDMENTS.

Writs, etc., may be amended.

No civil suit or proceeding in any court of common law shall fail or be dismissed on the ground that the plaintiff or any party therein has mistaken the remedy or procedure, if the court in which the matter is pending shall have jurisdiction to grant the proper remedy by any procedure; but in such case, the court shall, upon terms, order the writs, pleadings and other proceedings to be so amended, or new writs, pleadings or other pro-

ceedings to be respectively so issued, filed or taken, that the court may completely and finally hear and determine the whole matter in controversy between the parties and grant the proper remedy.

24. SAME SUBJECT.

New cause alleged.

In addition to the present powers of amendment, the court may, upon terms, permit, before or at the trial, the statement of a new or different cause of action in the complaint or counter-claim.

25. BILLS OF EXCEPTIONS; WRITS OF ERROR; APPEALS.

Exceptions and writs of error abolished.

Bills of exceptions and writs of error in civil cases are abolished. In lieu of a writ of error, an appeal may be taken in any case in which the appellant would, heretofore, have been entitled to that writ. Subject to rules, such appeal shall be in the nature of a rehearing upon any question of law involved in any ruling, order, or judgment below.

Appeal may be taken.

26. SAME SUBJECT.

Effect of appeal.

An appeal is a step in the cause, and is deemed to remove to the appellate court the entire record of the cause and all orders, proceedings and documents made, taken or filed therein, whether or not they are actually included in the transcript of the record sent to that court.

27. REVERSAL OR NEW TRIAL ON MERITS.

Reversals and new trials.

No judgment shall be reversed, or new trial granted on the ground of misdirection, or the improper admission or exclusion of evidence, or for error as to matter of pleading or procedure, unless, after examination of the whole case, it shall appear that the error injuriously affected the substantial rights of a party.

28. ADDITIONAL EVIDENCE UPON APPEAL.

New evidence admissible.

Upon appeal, or on application for a new trial, the court in which the appeal or application shall be pending may, in its discretion, take additional evidence by affidavit or deposition, or by reference; *provided,* that the error complained of is lack of proof of some matter capable of proof by record or other incontrovertible evidence, defective certification, or failure to lay the proper foundation for evidence which can, in fact, with-

Proviso.

out involving some question for a jury, be shown to be competent.

29. PRACTICE IN THE COURT OF ERRORS.

Rules applicable in Court of Errors.

Subject to rules to be made by the Court of Errors and Appeals, the practice in that court upon appeals from the Supreme Court or Circuit Court shall be the same as the practice upon appeals in the Supreme Court.

30. COSTS.

Costs.

Subject to rules or special order, costs in all cases may be disallowed in the discretion of the court.

31. ORDERS BY A JUDGE.

Judicial orders.

Subject to rules, any order or leave herein authorized to be made or given by the court, may be made or given by a judge of the court in which the action is pending.

32. RULES OF COURT.

Supreme Court to prescribe rules.

In addition to the powers given in sections two hundred and fifty-three and two hundred and fifty-four of the Practice Act, the Supreme Court shall prescribe rules for that court and for the Circuit Courts and Courts of Common Pleas to give effect to the provisions of this act and to otherwise simplify judicial procedure. Such rules shall supersede (so far as they conflict with) statutory and common law regulations heretofore existing. Until such rules shall be made, the rules hereto annexed in Schedule "A" shall be deemed to be the rules of court, subject to suspension and amendment in any part thereof, by the court, as experience shall show to be expedient.

33. ACTIONS PENDING WHEN THIS ACT TAKES EFFECT.

Pending causes.

Sections 26, 27, 28, 29, 30 and 33, and the rules in Schedule A under Division I, "General Rules", and under Division XII, "Appeals" (and no other sections or rules), shall apply to causes commenced before this act shall take effect; *provided*, that the sections and rules above mentioned shall not apply to any writ of error or the proceedings thereon which shall have been issued or taken before this act shall take effect.

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34. All acts and parts of acts inconsistent with this act and the following sections of the Practice Act be and the same are hereby repealed, but nothing in this

Repealer.

repealer shall impair or affect any suit commenced before this act shall have taken effect: sections 23, 29, 30, 31, 32, 33, 36, 37, 38, 39, 93, 94, 95, 96, 97, 98, 101, 102, 104, 105, 110, 111, 114, 117, 119, 121, 122, 127, 128, 130, 131, 132, 134, 141, 154, 210, 211, 212, 213, 214 and 241.

SCHEDULE A.

RULES OF COURT UNDER THE PRACTICE ACT (1912).

SUBJECTS.

Schedule of subjects.

I. GENERAL RULES.
II. JOINDER OF PARTIES AND CAUSES OF ACTION.
III. PLEADINGS.
(1) PLEADINGS GENERALLY.
(2) COMPLAINT.
(3) ANSWER.
(4) COUNTER-CLAIM.
(5) REPLY.
(6) ACTIONS TO RECOVER PERSONALITY.
(7) TIME FOR FILING PLEADINGS.
IV. SUMMARY JUDGMENT.
V. PRELIMINARY REFERENCE.
VI. DISCOVERY OF DOCUMENTS.
VII. DAMAGES.
VIII. TRIALS; JURY'S FINDINGS.
IX. NEW TRIAL AS TO PART.
X. FINDINGS OF FACT BY COURT.
XI. JUDGMENT.
XII. APPEALS.

I. GENERAL RULES.

1. DEFINITIONS.

"May" defined.

The word "may" as used in these rules is not mandatory.

2. ORDERS BY A JUDGE.

Orders.

Any order or leave herein authorized to be made or given by the court may be made or given by one justice or judge thereof.

3. EXTENDING TIME.

Time may be extended.

The time limited in these rules for the doing of any act may, for good cause, be extended (either before or after the expiration of the time) by order of the court or a justice or a judge thereof.

4. FORMS.

Forms to be used.

The forms appended in Schedule "B," or like forms, shall be used so far as they are applicable.

5. RULES MAY BE SUSPENDED.

Suspension of rules.

These rules shall be considered as general rules for the government of the court and the conducting of causes; and as the design of them is to facilitate business and advance justice, they may be relaxed or dispensed with by the court in any case where it shall be manifest to the court that a strict adherence to them will work surprise or injustice.

II. JOINDER OR PARTIES AND CAUSES OF ACTION.

6. PERSONAL REPRESENTATIVES.

In case co-contractor be dead.

In suits on a joint contract, whether partnership or otherwise, the personal representatives of a deceased co-contractor may join, as plaintiffs, and be joined, as defendants, with the survivors or survivor; *provided,* that, where the estate of the decedent is in settlement in this State, as an insolvent estate, his personal representatives cannot be joined as defendants.

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7. PERSONS SEVERALLY LIABLE.

Persons liable.

Persons severally and immediately liable on the same obligation or instrument, including parties to bills of exchange and promissory notes; also indorsers, guarantors, and sureties, whether on the same or by a separate instrument, may all, or any of them, be joined as defendants, and a joint judgment may be rendered against those so joined. But where the cause of action against one person is not complete until after judgment against another, such person cannot be joined as defendant. Nothing herein contained shall impair the provisions of sections thirty-four and thirty-five of the Practice Act of one thousand nine hundred and three.

8. PARTIES IN ALTERNATIVE.

Party in alternative.

Persons may be joined as defendants against whom the right to relief is alleged to exist in the alternative, although a right to relief against one may be inconsistent wth a right to relief against the other.

9. ASSIGNEE.

When assignor and assignee may join.

If a part interest in a contract obligation be assigned, the assignor (retaining the remaining interest) and assignee may join as plaintiffs.

10. ASSIGNMENT PENDING SUIT.

Assignment pending suit.

If, pending the action, the plaintiff assign the cause of action, the assignee, on his written application, may either be joined as co-plaintiff or substituted as a sole plaintiff, as the court may order; *provided,* the same shall in no manner prejudice the defense of the action as it stood before such change of parties.

Proviso.

11. COSTS OF DEFENDANT.

Protection of defendants.

In all cases where there are several defendants, the court may make such order as it may deem just, to prevent any defendant from being embarassed or put to expense by being required to attend to any proceedings in the action in which he may have no interest; and no costs shall be taxed against any defendant with which he is not justly chargeable.

12. SEPARATE TRIALS.

Separate trials.

The court may, upon motion, order a separate trial between the plaintiff, or one or more of several plaintiffs, and the defendant, or one or more of several defendants, or between co-defendants.

13. "TRANSACTIONS."

"Transactions" explained.

The transactions referred to in sections four and six of the Practice Act (1912) include any transactions which grew out of the subject matter in regard to which the controversy has arisen; as, for instance, the failure of a bailee to use the goods bailed for the purpose agreed, and also an injury to them by his fault or neglect; the breach of a covenant for quiet enjoyment, by the entry of the lessor, and also a trespass to goods committed in the course of the entry; or several torts committed simultaneously, as a battery accompanied by slander.

14. JOINDER OF CAUSES OF ACTION.

Causes of action.

(a) In actions for the recovery of lands, no cause of action shall be joined (without leave of court) except for mesne profits, or damages for breach of any contract under which the property, or any part thereof, was held, or for injury to the property.

(b) Claims by a trustee in bankruptcy, as such, must not, except by leave of court, be joined with any claim by him in any other capacity.

(c) Claims by or against any executor or administrator, as such, must not (without leave of court) be joined with claims by or against him personally, unless the latter claims arose with reference to the estate of his testator or intestate.

(d) Claims by plaintiffs jointly, may be joined with claims by them, or any of them, separately, against the same defendant.

(e) Claims by or against husband and wife may be joined with claims by or against either of them separately.

(f) The court may strike out causes of action which can not be conveniently tried with other causes of action joined in the same suit.

Objections waived.

15. OBJECTION FOR MISJOINDER of causes of action is waived unless made on motion, before answer or reply respectively.

III. PLEADINGS.

(1) PLEADINGS GENERALLY.

16. ORDER OF PLEADINGS.

Order of pleadings.

The order of pleadings shall be:

1. Complaint;
2. Motion addressed to the complaint;
3. Answer;
4. Motion addressed to the answer;
5. Reply.

Further pleadings may be had, if necessary, until issue is joined. Unless otherwise ordered by the court, pleadings must be filed, and motions made, in the order mentioned above.

17. FORM OF PLEADINGS.

Plain statement.

All pleadings must contain a plain and concise statement of the facts on which the pleader relies (and no others), but not of the evidence by which they are to be proved.

Allegations separate.

The statement must be divided into paragraphs numbered consecutively, each containing, as nearly as may be, a separate allegation.

Numerals.

Dates, sums and numbers, must be in figures.

If pleadings insufficient.

If any pleadings be insufficient, the court may order a fuller or more particular statement; and if the pleadings do not sufficiently define the issues, the court may order other issues prepared; and may settle the issues if the parties differ.

The first pleading filed by any party shall state his place of residence.

Particulars.

18. BILLS OF PARTICULARS may be ordered as heretofore.

19. UNTRUE STATEMENTS.

Untrue statements.

Allegations or denials, made without reasonable cause, and found untrue, shall subject the party pleading the same to the payment of such reasonable expenses, to be taxed by the court, as may have been necessarily incurred by the other party, by reason of such untrue pleading.

20. STATEMENTS NOT DENIED ARE ADMITTED.

Allegations undenied deemed admitted.

Every material allegation of fact in a pleading, which is not denied by the adverse party, is deemed to be admitted, unless the latter avers that he has no knowledge or information thereof sufficient to form a belief.

21. PLEADING ACCORDING TO LEGAL EFFECT.

Adverse party apprised of state of facts.

Acts and contracts may be stated according to their legal effect, but, in so doing, the pleading should be such as fairly to apprise the adverse party of the state of facts which it is intended to prove; thus, an act or promise of a principal (other than a corporation), if, in fact, proceeding from an agent known to the pleader, should be so stated; and the obligation of a husband to pay for necessaries furnished to his wife, whom he has driven from his house, should be stated according to the facts.

22. JOINDER OF ISSUE.

Denial a joinder.

The denial of any material allegation shall constitute an issue; no other joinder of issue is necessary.

23. ANNEXING COPIES OF DOCUMENTS.

Copy annexed to pleading.

In pleading any document, a copy thereof may be annexed to the pleading, and referred to therein, with like effect as if it were recited at length.

24. INCONSISTENT COUNTS in the complaint or counter claim, and INCONSISTENT DEFENSES in the answer, are not objectionable.

Inconsistent counts and defenses.

25. OBJECTIONABLE PLEADINGS.

Objectionable pleadings.

Unnecessary repetition, prolixity, scandal, impertinence, obscurity and uncertainty, and any other violation of the rules of pleading, are respectively objectionable; also any pleading which is irregular, defective or so framed as to embarrass or delay a fair trial.

26. DEMURRERS ARE ABOLISHED. Any pleadings may be struck out on motion on the ground that it discloses no cause of action, defense or counter-claim respectively. The order made upon such motion is appealable after final judgment. In lieu of a motion to strike out, the same objection, and any point of law (other than a question of pleading or practice) may be raised in the answering pleadings, and may be disposed of at, or after, the trial; but the court, on motion of either party, may determine the question so raised before trial, and if the decision be decisive of the whole case the court may give judgment for the successful party or make such order as may be just.

Demurrers abolished.

27. OBJECTIONS TO PLEADINGS other than those provided for in Rule 26 above, shall be made by motion. The action of the court thereon is appealable after final judgment.

Other objections made on motion.

28. OBJECTIONS TO PLEADINGS.

Objections to pleadings.

Every motion addressed to a pleading must present every cause of objection then existing.

29. MOTIONS. Every notice of any motion to a pleading shall specify the grounds thereof.

Grounds of motion specified.

30. MATTERS ARISING AFTER SUIT BEGUN.

Supplemental pleadings.

Supplemental pleadings, showing matters arising since the original pleadings or suit begun may be filed by either party, by leave of court, and upon terms.

31. OYER.

Copies of documents served on adverse party.

When an express agreement or any document is referred to in a pleading, and is not annexed to the pleading or recited verbatim therein, a copy of the document or of the agreement (if it be in writing) must be served on the adverse party within five days after service of written demand for the same.

32. EVASIVE DENIALS.

No evasions.

A denial must not be evasive, but must fairly meet the substance of the allegation denied. Thus, if payment of a certain sum be alleged when, in fact, less was paid, the pleader must not deny payment generally, but must state how much was paid; and where any fact is alleged with divers circumstances, some of which are untruly stated, the denial must not be of the fact as alleged, but so much as is true and material must be admitted and the rest only denied.

33. CERTAINTY.

Plain statements.

Express admissions and denials must be direct, precise, specific, and not argumentative, hypothetical, or in the alternative; accordingly, when a pleader wishes expressly to admit or deny a portion only of a paragraph he must recite that portion; except, that where a recited portion of a paragraph has been either admitted or denied, the remainder of the paragraph may not be denied or admitted, without recital. Admissions or denials of allegations identified only by a summary or generalization thereof, or by describing the facts alleged as "consistent" or "inconsistent" with other facts recited or referred to, are improper.

Demands for relief.

34. A demand for relief in the complaint, or counter-claim, which the allegations thereof do not sustain, may be objected to, on motion, or in the answering pleading, although the allegations may entitle the plaintiff, or counter-claimant, respectively, to some other relief.

(2) THE COMPLAINT.

35. THE COMPLAINT.

Complaint.

The first pleading by the plaintiff shall be the complaint. It must contain a statement of the facts con-

stituting the cause of action, in accordance with these rules, and a demand for relief.

36. COUNTS AND PARAGRAPHS.

Counts numbered.

When separate and distinct causes of action (as distinguished from separate claims for relief founded on the same cause of action or transaction) are joined, the statement of the second shall be prefixed with the words "SECOND COUNT" and so on for the others; and the several paragraphs of each shall be numbered separately.

37. ALTERNATIVE RELIEF.

Alternate relief.

Plaintiff may claim alternative relief based upon an alternative construction or ascertainment of his cause of action.

(3) THE ANSWER.

38. DILATORY PLEAS.

Certain pleas abolished; objections on motion.

Pleas to the jurisdiction and pleas in abatement are abolished. In lieu thereof objection shall be made on motion. The evidence necessary to determine the question may be taken by affidavit, or as the court may direct. The action of the court upon such motion may be reviewed on appeal after final judgment.

39. SEVERAL DEFENSES.

Defenses separately stated.

Where several defenses are pleaded, each must refer to the cause of action which it is intended to answer, and must be separately stated and designated as a separate defense; thus: FIRST DEFENSE, SECOND DEFENSE, etc. Where the complaint is for more than one cause of action, set forth in several counts, each separate matter of defense, should be preceded by a designation of the cause of action which it is intended to meet, in this manner: FIRST DEFENSE TO FIRST COUNT, SECOND DEFENSE TO FIRST COUNT, FIRST DEFENSE TO SECOND COUNT, and so on. Any statement of a matter of defense, raised in part upon facts pleaded in any preceding statement in the same answer, may refer to those facts as thus recited, without otherwise repeating them.

40. GENERAL AND SPECIAL DENIAL.

Denials.

The answer must specially deny such allegations of fact in the complaint as defendant intends to controvert,

unless he intends in good faith to controvert all the allegations; in that case he may deny them generally. It must specially state any defense which is consistent with the truth of the material allegations of the complaint, and any defense which, if not stated, would be likely to cause surprise, or would raise issues not arising out of the complaint. For instance, the statute of frauds, or of limitations, release, payment, performance, fraud or facts showing illegality, or contributory negligence.

41. TENDER; PAYMENT INTO COURT.

Effect of tender of money.

Any party upon whom a claim for debt or damages (liquidated or unliquidated) is made, may tender to the claimant a sum of money in payment thereof, which tender may be pleaded, and in all respects shall be as effectual as a tender in case of a claim for debt has heretofore been.

Payment into court an admission.

42. PAYMENT INTO COURT by defendant, upon plaintiff's claim, shall be an admission of the cause of action in respect to which it is made; but not so, if the answer denies the cause of action. The payment shall be pleaded or (if made after answer filed) notice thereof shall be given to the plaintiff.

Acceptance by plaintiff.

43. SAME SUBJECT. If plaintiff accept such payment before judgment, it shall be in satisfaction of the cause of action in respect to which the payment was made, except as to costs. If plaintiff do not so accept, the money shall be paid to the defendant if he recover judgment; but if plaintiff recover, it shall be applied upon his judgment to the extent thereof, and the surplus, if any, shall be paid to the defendant.

Payment by plaintiff.

44. SAME SUBJECT. Plaintiff, in reply to a counterclaim, may pay money into court in satisfaction thereof, subject to the like conditions as to costs and otherwise as upon such payment by a defendant.

Jury not informed.

45. SAME SUBJECT. Neither tender nor payment into court shall be made known to the jury.

(4) COUNTER-CLAIM.

Counterclaims.

46. A COUNTER-CLAIM may be stated in the answer, being introduced substantially thus: "By way of coun-

ter-claim against" (stating the parties against whom the counter-claim is made, and designating as "third parties" those not made parties in the complaint).

47. CROSS ACTION.

Cross action.

A counter-claim is deemed to be a cross action, and the rules respecting the form and manner of pleading the complaint, apply to the counter-claim.

48. AMOUNT OF RECOVERY.

Judgment for excess.

If the amount found due on the counter-claim to the defendant exceeds the amount found due to the plaintiff, the defendant shall have judgment for the excess.

Copy to co-defendant.

49. Where a co-defendant is made a party to a counter-claim, a copy thereof shall be delivered to him or his attorney within five days after the same is filed.

(5) REPLY.

50. REPLY.

Reply.

A reply may contain two or more distinct avoidances of the same defense or counter-claim, but they must be separately stated and numbered, and the rules respecting the form and manner of pleading in the answer apply to the reply.

(6) ACTIONS TO RECOVER PERSONALITY.

Special property.

51. In actions to recover personality, title (in plaintiff or defendant) which rests on a special property must be pleaded by stating the facts constituting the special property.

Unlawful taking and detainer.

52. When the taking was wrongful a general statement of unlawful taking is sufficient, but when the action is for a wrongful detainer only, a demand and refusal of possession, before beginning the action (or serving the writ) must be alleged.

Defense by answer.

53. All defense, including those in the nature of avowry, cognizance, and disclaimer, shall be made by answer. If the defense be title in defendant or in a third person, the answer must state it according to the fact. If defendant claims a return of the goods or damages, he must make the claim by counter-claim.

(7) TIME FOR FILING PLEADINGS.

Complaint annexed to summons.

54. The complaint shall be annexed to the summons or capias *ad respondendum* and returned therewith; and a copy thereof shall be served with the summons or capias.

Answer filed.

55. The answer or counter-claim shall be filed within twenty (20) days after service of the summons and complaint. If further pleadings be necessary, they shall be filed within twenty (20) days, each after the other.

56. AFFIDAVIT OF MERITS.

Actions on contract.

In actions on contract plaintiff may enter judgment unless the defendant or his agent or attorney shall, within ten days after personal service of complaint, file an affidavit of merits, stating that the affiant believes that the defendant has a just and legal defense to the

Proviso.

action on the merits of the case; *provided,* a notice be endorsed on the complaint and on the copy served that if defendant intends to make a defense he must file an affidavit of merits within ten days of such service and an answer with twenty days therefrom; and that in default thereof judgment will be entered against him. Lawful service upon a corporation shall be deemed personal service for the purpose of this rule.

IV. SUMMARY JUDGMENT.

Answer may be struck out and judgment final entered.

57. When an answer is filed in an action brought to recover a debt or liquidated demand arising—

(a) Upon contract express or implied, sealed or not sealed; or,

(b) Upon a judgment for a stated sum; or,

(c) Upon a statute;

the answer may be struck out and judgment final may be entered upon motion and affidavit as hereinafter provided, unless the defendant by affidavit or other proofs shall show such facts as may be deemed, by the judge hearing the motion, sufficient to entitle him to defend.

Motion made on affidavit.

58. The motion to strike out shall be made upon affidavit of the plaintiff or that of any other person cognizant of the facts, verifying the cause of action,

and stating the amount claimed and his belief that there is no defense to the action.

Partial judgment.

59. If it appear that such defense applies only to part of plaintiff's claim, or that any part is admitted, the plaintiff may have final judgment forthwith for so much of his claim as the defense does not apply to or as is admitted, subject to such terms as may be deemed just.

Terms of defense.

60. Leave to defend may be given unconditionally, or upon such terms as to giving security, or time or mode of trial, or otherwise, as may be deemed just.

V. Preliminary References.

Supreme Court commissioners.

61. The Supreme Court may designate for each county one of the Supreme Court Commissioners (and if necessary, more than one), removable at pleasure, who shall have the authority herein given.

Summons.

62. Within ten days after a cause shall be at issue, either party may take out a summons, substantially in the form in Schedule "B," and serve the same upon the opposite party or his attorney at least four days before the return day. The summons need not be served upon a party who is in default. The court may, on its own motion, at any time, order the preliminary reference herein provided for.

Order by commissioner.

63. Upon the return of the summons or at any adjournment of the matter, the commissioner, after hearing the parties or their attorneys (but not their evidence), shall, on the application of any party, make such order as the court might make and as may be just in respect to the following matters, subject to an appeal within five days to a judge of the court in which the action is pending:

Objections to pleadings.

Objections to pleadings (other than those provided for in Rules 26 and 38), amendments thereof, and leave for additional pleadings;

Settlement of issues;

Bills of particulars;

Admissions;

Interrogatories;

New Jersey State Library

Discovery of, and inspection of books, papers or other documents;

Examination of parties before trial;

Any other interlocutory matter preliminary to, and in preparation for, trial, but not including postponement of trial.

Effect of order.

The order of the commissioner shall be deemed the order of the court until reversed.

Motions heard by commissioner.

All motions in respect of any of the foregoing matters, whether made before or after issuing the commissioner's summons, may be heard and determined by the commissioner subject to appeal as aforesaid.

Form of order.

The commissioner's order shall be as nearly as practicable in the form stated in Schedule "B".

Two days' notice.

64. Prior or subsequent applications or motions in the cause before trial may be made to the commissioners on two days' notice.

When non-prossed.

65. If plaintiff fail to take out and proceed upon the summons as herein directed, when so ordered, he may become non-prossed. If defendant fail to appear he shall not appeal from the order except by leave of the commissioner or the court.

VI. Discovery of Documents.

Production of books, etc.

66. Any party may, without affidavit, apply for an order directing any other party to make discovery on oath of the books, papers or other documents, which are, or have been, in his possession or under his control relating to any matter in question in the cause. The granting of the order shall be discretionary, as to the whole or any part of the discovery applied for.

VII. Damages.

Damages determined to time of trial.

67. Where damages are to be determined in respect of any continuing cause of action, they shall be determined to the time of the assessment or trial.

68. Assessment of Damages; Writ of Inquiry.

Damages assessed by jury.

The party entering judgment by default, in lieu of taking out a writ of inquiry, may, at his option, give

fifteen days' notice that the damages will be assessed by a jury drawn from the general panel; and upon serving and filing the notice the damages shall be assessed by such jury during its attendance at the circuit, under the directions of a justice or judge. And all writs of inquiry shall, on application of either party, be executed under the directions of a justice or judge, or a Supreme Court commissioner to be designated by a judge or justice.

Writs of inquiry.

VIII. Trials; Jury's Findings.

69. Opening Case.

At trials, immediately after the plaintiff's opening, and before any evidence taken, defendant's counsel shall open his case to the jury to the extent, at least, of the statement of his answer.

Defendants statement at opening.

70. The court may request the jury to return answers to written questions embracing the disputed facts in issue and the amount of damages. The questions and answers shall be entered upon the minutes and the court may enter a general verdict. In case of a rule to show cause for a new trial, or an appeal, a statement of the case, including the questions and answers, shall be prepared and filed and shall have the effect of a special verdict. In considering the case upon review, the court may draw inference of fact.

Answers to written questions.

In rule to show cause, statement of case filed.

71. The statement of the case shall be prepared by the moving party and served on the adverse party. Objections thereto (if any) must be made within five days from service, and in that event the statement of the case shall be settled by the trial judge.

Preparation of statement.

IX. New Trial as to Part.

72. In case a new trial is granted it shall only be a new trial of the question or questions with respect to which the verdict or decision is found to be wrong, if separable.

Questions on new trial.

73. New Trial as to Damages Only.

When a new trial is ordered because the damages are excessive or inadequate, and for no other reason,

New trial as to damages.

the verdict shall be set aside only in respect of damages, and shall stand good in all other respects.

X. Findings of Fact by Court.

Findings by court.

74. In trials without a jury, a finding of the facts in issue, signed by the trial judge, shall be filed and entered on the record. In actions in the Supreme Court the findings shall be included in the postea. Upon request of any party, the rulings of the court upon any point of law involved in the decision or judgment shall be stated in the findings.

Effect of general finding.

75. A general finding in favor of the plaintiff or defendant, respectively is deemed to be a finding in his favor of all the material allegations put in issue.

Where only part of the material allegations put in issue are found for the prevailing party, the finding must indicate the particular facts that are found.

XI. Judgment.

Filing postea.

76. In actions in the Supreme Court, the postea may be filed immediately after relicta given or verdict obtained and judgment shall be entered forthwith. But the trial judge of the court, or any justice thereof, may stay execution pending an application for a new trial.

Staying execution.

XII. Appeals.

77. Time of Notice.

Taking appeals.

Appeals shall be taken by notice, which shall be served on the adverse party and filed within the time limited for bringing writs of error, and at least thirty days before the appeal is argued.

78. No Severance.

All parties served notice.

No severance of parties is necessary, but any party entitled, but refusing to join in the appeal, shall be served with notice of appeal.

79. Grounds of Appeal.

Ground of appeal.

The notice of appeals shall state the part of the judgment appealed from, if less than the whole, and (in lieu

of an assignment of errors) may state the grounds of appeal. No petition of appeal shall be used. The grounds of appeal (if not stated in said notice) shall be served and filed within thirty days after filing notice of appeal.

80. CROSS-APPEAL.

Cross appeal.

Any respondent may appeal from the judgment by giving notice of cross-appeal, which shall be governed by the rules applying to notice of appeals, except that it shall be served on the adverse party and filed not more than fifteen days after service of the notice of appeal.

81. STATEMENT OF THE CASE.

Rules applicable to appeals.

The rules of court respecting the preparation and service of the statement of the case upon writs of error shall apply to appeals. The statement of the case shall include the notice of appeal, the record of the case, and so much of the evidence taken and documents filed in the cause as shall be necessary to present the questions raised upon the appeal.

82. SECURITY ON APPEAL.

Notice of appeals to stay execution.

The service and filing of a notice of appeal shall stay execution on the judgment appealed from, but only upon giving security in the manner and for the purposes prescribed in the "Act respecting writs of error," Revision, approved March twenty-seventh, one thousand eight hundred and seventy-four, and the acts amendatory thereof and supplementary thereto.

Effect of granting rule to show cause.

83. Granting to a party a rule to show cause why a new trial shall not be granted, shall be a bar against him to taking or prosecuting an appeal, except on points expressly reserved in said rule. A rule to show cause why a new trial should not be granted may, in the discretion of the court, be special, and then the question shall be heard and decided on the grounds upon which the rule was allowed.

SCHEDULE B.

FORMS.

NO. 1. WRIT OF SUMMONS.

Writ of summons.

The State of New Jersey to John Doe.

(L. S.) You are summoned to answer the annexed complaint of Richard Roe in in action at law in the Supreme Court. And take notice that unless you file your answer to said complaint with the Clerk of the Supreme Court, at Trenton, *within twenty days* after service upon you of this writ and the annexed complaint, the plaintiff may proceed in the suit and judgment may be entered against you.

Witness, William S. Gummere, Chief Justice of the Supreme Court, at Trenton, this ..... day of ....., nineteen hundred and .....

....., WM. RIKER, JR.,

Attorney. *Clerk.*

NOTE: *All writs issuing out of the Circuit Court or Court of Common Pleas should be attested in the name of a Judge of the Court from which the writ issues.*

Writ of replevin.

NO. 2. WRIT OF REPLEVIN.

(L. S.) THE STATE OF NEW JERSEY, to the Sheriff (or ..... one of the coroners) of the County of .....

GREETING: We command you that if John Doe shall make you secure, you cause to be taken and delivered to him, one bay horse (*describe sufficiently all the goods in question)* which said Richard Roe took and unjustly detains as is said; and that you summon the said Richard Roe to answer the annexed complaint of John Doe in an action at law in the Supreme Court. And that you notify him that unless he file his answer to said complaint with the Clerk of the Supreme Court, at Trenton, *within twenty days* after service upon him of this writ and the annexed complaint, the plaintiff may proceed in the suit and judgment may be entered against him.

(Attestation clause as in No. 1.)

(NOTE: See Note to Form No. 1 above.)

No. 3. COMMENCEMENT OF COMPLAINT. Commencement of complaint.

Supreme Court of New Jersey.
Hudson County.

John Doe,
Plaintiff,
vs.
Richard Roe and George Jones, Executor of the Will of Thomas Brown,
Defendants.
} Complaint.

(State in the title the names of all the parties and the character in which they appear.)

Plaintiff *(state residence)* says that *(to be filled up in accordance with the following forms):*

The plaintiff demands *(as in the following forms):*

(Signed)

....., *Attorney for Plaintiff.*

No. 4. ON BOOK ACCOUNT.

1. He sues for the price of goods sold and delivered to the defendant upon a book account, of which a copy is attached hereto, and the whole of which is due and unpaid. Book account.

Plaintiff demands, as damages, the amount due thereon, being $500 with interest from .....

No. 5. ANOTHER FORM OF THE SAME.

1. He, being a merchant doing business in Trenton, did, between July 1, 1911, and October 1, 1911, sell and deliver to the defendant sundry goods, under an agreement between the parties, that plaintiff should charge defendant a reasonable price for the goods so sold. Book account.

2. The amount due on the account on October 1, 1911, charged in conformity with said agreement, was, and still is, $500.

3. Defendant has not paid the same.

Plaintiff demands, as damages, $500 with interest from .....

No. 6. ON A NOTE OR OTHER WRITTEN INSTRUMENT FOR PAYMENT OF MONEY. Promissory note.

1. He sues for the amount of a promissory note for $1,000 made by the defendant, Richard Roe, to plaintiff, a copy of which is hereto annexed.

2. Plaintiff still owns said note. It has not been paid.

Plaintiff demands, as damages, $1,000 with interest from .....

Promissory note.

No. 7. ANOTHER FORM FOR THE SAME AGAINST MAKER AND INDORSER.

1. On August 1, 1911, the defendant, Richard Roe, made and delivered to plaintiff his note of that date for $1,000 payable to Thomas Brown, or order, 3 months from date at the ..... Bank of Trenton.

2. The payee afterwards endorsed said note to the plaintiff.

3. On the day the same fell due it was presented for payment at the place where it was payable, but was not paid (*or state facts excusing presentment*).

4. Notice thereof was duly given to said Brown.

5. Said note is now the property of plaintiff and is unpaid.

Plaintiff demands as damages $1,000 with interest from .....

Money loaned.

No. 8. FOR MONEY LENT.

First Count:

1. Plaintiff on January 1, 1912, lent to defendant $200 to be repaid 30 days thereafter.

2. Defendant has not paid the same though the 30 days have elapsed.

Second Count:

1. Plaintiff on January 10, 1912, lent to defendant $100 to be repaid on demand.

2. On January 20, 1912, plaintiff demanded of the defendant payment thereof.

3. Defendant has not paid said sum.

Plaintiff claims as damages $300 with interest from .....

Recover salary.

No. 9. TO RECOVER SALARY.

1. On July 1, 1910, defendant hired plaintiff as a salesman at a salary of $1,000 per year, payable quarterly.

2. From that day until July 1, 1911, plaintiff served defendant as such salesman.

3. Defendant has paid on account of said salary only $500, leaving due a balance of $500.

Plaintiff claims as damages $500 with interest from.....

Rent.

No. 10. FOR RENT.

First Count:

1. On January 1, 1911, plaintiff and defendant executed a lease (under seal) of the premises No. 20 ..... street, Trenton, of which a copy is annexed hereto.

2. A half year's rent of $200 due July 1, 1911, is unpaid.

Plaintiff demands—

1. As damages $200 and interest from ..... on the first count;

Buying business.

No. 11. BY PURCHASER OF A BUSINESS AGAINST A SELLER FOR DAMAGES.

1. On July 1, 1910, defendant was a physician practicing in the town of ....., and plaintiff was also a physician.

2. On that day, in consideration that plaintiff would purchase of defendant the good-will of his practice for $1,000, he agreed with plaintiff that he would not practice medicine or in any manner do business as a physician in said town for a period of ten years after that date.

3. Plaintiff on that day purchased from defendant the good-will of his practice for the price and on the terms aforesaid.

4. Plaintiff, on or about that time, opened, and has since maintained an office in said town, as a practicing physician.

5. Defendant, in violation of said agreement, on January 1, 1912, opened an office in said town, and commenced, and still continues, to practice medicine, and do business as a physician in said town.

6. Plaintiff's professional income has been much lessened thereby.

Plaintiff demands—

1. $5,000 damages;

Action against common carrier for loss of goods.

No. 12. PLAINTIFFS IN ALTERNATIVE; ACTION AGAINST COMMON CARRIER FOR LOSS OF GOODS.

Supreme Court of New Jersey.
Hudson County.

A. B. and in the alternative C. D., Plaintiffs,
vs.
Erie Railroad Company, Defendant.
} Complaint.

Plaintiffs *(state residence)* say that:

1. The plaintiff, A. B., being a manufacturer of silk, doing business in Paterson, on January 1, 1912, contracted in writing to sell ten bales of silk of the value of $1,000 to the plaintiff, C. D., who was a merchant doing business in Buffalo. A copy of the contract is hereto annexed.

2. By the terms of said contract, A. B. agreed to ship said goods from Paterson, via Erie Railroad, to C. D., at Buffalo.

3. The terms of the contract were such as to make it uncertain whether the title to the goods so sold passed to the buyer on delivery of the goods to said railroad company for transportation at Paterson, or on delivery of said goods to the buyer at Buffalo.

4. On January 5th, 1912, A. B. delivered said goods to the defendant (being then a common carrier) at Paterson. Said company received the same and agreed, in consideration of freight charges to be paid on delivery of the goods, to transport and deliver them to C. D. at Buffalo.

5. On January 6th, 1912, said goods were destroyed by fire at ——— ——— while in possession of the defendant under said agreement of transportation.

6. Plaintiff claims that either A. B. or, in the alternative, C. D., is entitled to damages from the defendant for loss of said goods.

Plaintiffs, in the alternative, demand $1,000 damages.

Plaintiffs pray that the court may determine which one of them is entitled, under the contract between themselves, to recover from the defendant.

No. 13. DEFENDANTS IN ALTERNATIVE; ACTION ON A CONTRACT OF SALE. Action on contract of sale.

Supreme Court of New Jersey.
Hudson County.

A. B., Plaintiff,
vs.
C. D., and in the alternative, E. F., Defendants.
} Complaint.

Plaintiff *(state residence)* says that:

1. On January 2, 1912, defendant, C. D., represented to plaintiff that he (C. D.) was the agent of defendant, E. F., authorized to sell the securities hereinafter mentioned of said E. F.

2. On the same day, by written agreement, plaintiff, relying on the said representations, agreed to buy, and said C. D. agreed to sell, for account of said E. F., 100 shares of the capital stock of the ——— company, for the price of $10,000; delivery to be made and the price paid on the then next day. A copy of said agreement is annexed.

3. Neither of said defendants delivered said stock at the time agreed, nor at all, and both of them still refuse to deliver it.

4. Said C. D. still insists that he was duly authorized by said E. F. to make said contract; but said E. F. denies that he had so authorized C. D., and he repudiates the contract. Plaintiff does not know whether or not said C. D. was so authorized.

Plaintiff demands against the defendant, E. F., or, in the alternative, against the defendant, C. D., $3,000 damages.

ANSWERS AND COUNTER-CLAIM. Answers.

No. 14. COMMENCEMENT OF ANSWER.

Supreme Court of New Jersey.
Hudson County.

A. B. and others, Plaintiffs,
vs.
C. D. and others, Defendants,
} Answer.

Defendants *(state residence)* say that:

(To be filled up in accordance with the following forms.)

(Signed)

.....

Attorney for Defendant.

COUNTER-CLAIM.

(Title.)

Defendant says, by way of counter-claim, that:

(Fill up in accordance with the following forms.)

(Signed)

.....

Attorney for Defendant.

Answer and counter-claim.

No. 15. ANSWER AND COUNTER-CLAIM.

(Title.)

Defendant says that:

1. He admits the first paragraph;

2. He denies the second paragraph.

3. *(To be filled up.)*

4. By way of counter-claim against the plaintiff and against X. Y., a third party, the defendant says that:

1. He repeats the statements in paragraph 3 above.

2. *(To be filled up.)*

The defendant counter-claims $..... damages.

(Signed)

.....

Attorney for Defendant.

Denials.

No. 16. GENERAL DENIAL.

1. He denies the truth of the matters contained in the complaint.

Denial with new matter.

No. 17. GENERAL DENIAL WITH NEW MATTER.

1. He denies the truth of the matters contained in the complaint.

2. On March 1, 1911, plaintiff executed and delivered to defendant a release, under seal, discharging all demands then existing in favor of plaintiff against defendant.

Several defenses.

No. 18. SEVERAL DEFENSES.

First Defense to First Count:

1. On May 1, 1911, defendant assigned and delivered to plaintiff a due bill of John Doe for $500, which

plaintiff accepted as a full satisfaction of the demand set up in the first count of the complaint.

Second Defense to First Count:

2. On July 1, 1911, plaintiff signed, sealed and delivered to defendant, a release of all demands of plaintiff against defendant to that date.

Defense to Second Count:

1. He denies the first paragraph of this count.

2. As to the statements in the second paragraph, defendant has not any knowledge or information thereof sufficient to form a belief.

3. He denies the fourth paragraph of this count except so far as admitted in the following statement:

The plaintiff received (*etc. stating the facts as set up by defendant*).

REPLY.

General denial.

No. 19. GENERAL DENIAL.

(Title)

Plaintiff denies every allegation in the answer.

(Signed)

.....

Attorney for Plaintiff.

Partial denial.

No. 20. PARTIAL DENIAL.

Plaintiff denies the second paragraph of the answer.

No. 21. DURESS.

Duress.

Plaintiff replies that the release mentioned in the answer was extorted from him by defendant by threats that, if not given, defendant would beat and maim the plaintiff.

POSTEA.

Postea.

No. 22.

This case was tried before Justice (*or* Judge) A. B. with a jury at the ..... Circuit, on December 10, 1911.

The jury rendered a general verdict against the defendant and in favor of the plaintiff for $5,000. (*State amount in words and figures.*)

(Signed)

A. B.,

J.

JUDGMENTS. (Pr. Act, s. 22.)

(NOTE: *When the following forms of judgment are used the postea may be omitted from the judgment record.)*

Judgment for plaintiff.

No. 23. JUDGMENT FOR PLAINTIFF.

This action was tried before Justice (*or* Judge) A. B. with (*or without*) a jury, at the ..... Circuit, on December 10, 1911.

The cause having been heard and submitted to the jury, they return their verdict as follows: *(If a general verdict be found by the jury or entered by order of the court upon answers of the jury to the court's questions, copy the verdict at this point. If a special verdict be rendered, copy that at this point.)*

Whereupon it is adjudged that the plaintiff recover of the defendant the sum of $..... and his costs, which are taxed at the sum of $....., making in the whole the sum of $..... *(State amounts in words and figures.)*

Judgment entered December .., 1911.

NOTE: *If the cause be tried without a jury, the findings of the court should be substituted in the above form for the verdict.)*

Judgment for defendant.

No. 24. JUDGMENT FOR DEFENDANT.

(Follow the foregoing form to and including the verdict or court's findings; then continue thus:)

Whereupon it is adjudged that the complaint of the plaintiff be dismissed and that the defendant recover of the plaintiff his costs, which are taxed at $.....

(Add date of entry.)

Non-suit.

No. 25. JUDGMENT OF NON-SUIT.

This action came regularly on for trial on the..... day of April, 1912, and when called for trial the defendant appeared, but the plaintiff did not appear to prosecute his action.

Whereupon it is adjudged that the complaint of the plaintiff be dismissed, and that the defendant recover of the plaintiff his costs, which are taxed at $.....

(Add date of entry.)

Divided judgments; set-offs.

No. 26. JUDGMENT FOR PLAINTIFF OF ONE COUNT AND FOR DEFENDANT ON ANOTHER, AND FOR A SET-OFF AFTER TRIAL BY THE COURT.

(Follow the first pargraph of Form 19, and continue thus:)

The Court, having heard the parties, finds the issues for the plaintiff upon the first count and that $500 is due him thereon; and also finds the issues for the plaintiff upon the second count and that $1,000 is due him thereon; and finds the issues for the defendant upon both defenses to the third count, and further finds his defense of set-off true, and that $1,040 is due him thereon.

Whereupon it is adjudged, that the plaintiff recover of the defendant five hundred and twenty dollars ($520) and his costs, which are taxed at $..... making in the whole the sum of $.....

(Add date of entry.)

Judgment record.

No. 28. JUDGMENT RECORD.

In the Supreme Court of New Jersey

(*Or,* in the Hudson County Circuit Court).

A. B. }
vs. } Judgment Record.
C. D. }

C. D., the defendant in this cause, was summoned (*or* taken on capias ad respondendum) to answer unto A. B., the plaintiff therein, in an action at law upon the following complaint: *(Copy complaint, including signature of attorney.)*

The defendant answered as follows: *(Copy the answer, including signature of attorney; copy also further pleadings, if any. If supplemental pleadings be added under order giving leave, insert the words "By leave of the Court the plaintiff further complained," or "The defendant further answered," as the case may be.)*

(Add the judgment. See Form No. 23.)

NOTE: *If any other documents filed in the cause be necessary to present a question raised on an appeal, they may be printed in the statement of the case.*

If any pleading be amended, copy it in the amended form only, unless an appeal raises a question upon the right to amend; in that case the original pleading should be copied in the record and the amendment complained of should then be copied, introduced thus: "By leave of the Court the plaintiff was allowed to amend the said complaint," *(or,* "The defendant was allowed to amend the said answer) by adding (or striking out) the following." *(Then copy the amendment.)*

Affidavit for summary judgment.

No. 29. AFFIDAVIT FOR SUMMARY JUDGMENT. (Pr. Act, sec. 15, Rule 54.)

(Title) } An Application for Summary Judgment. Affidavit

NEW JERSEY, }
MERCER COUNTY, } *ss.*

A. B., being duly sworn, on his oath says: I am the plaintiff in the above-stated cause. I sold to defendant the goods mentioned in the complaint, upon his order, and delivered the same to him. The prices charged for the same, and stated in the complaint, were, and are, reasonable prices. No specific prices were agreed upon between us. The full amount of prices for which said goods were sold is $..... and the said amount is unpaid and due. I believe that there is no defense to the action.

(Jurat.)

NOTE: *If the affidavit is not made by the plaintiff, it should show that the affiant is in a position to be cognizant of the facts stated.*

Order for summary judgment.

No. 30. ORDER FOR SUMMARY JUDGMENT. (Pr. Act, sec. 15, Rule 53.)

(Title) } Order for Summary Judgment.

It appearing by affidavit filed in the cause that the defense made by defendant's answer is sham (or frivolous) and the defendant, after due notice, having failed to show such facts as entitle him to defend;

It is ordered, that the defense be struck out and that

final judgment be entered for plaintiff for the sum of $.... and costs.

(Signed) X. Y.,
Justice (or Judge).

No. 31. ORDER FOR LEAVE TO DEFEND ON TERMS. (Pr. Act, sec. 15, Rule 56.) Leave to defend on terms.

(Title.) } Leave to Defend on Terms.

It appearing probable by affidavit filed in the cause that the defense is sham (or frivolous), but the defendant having shown such facts as entitle him to this order;

It is ordered, that defendant have leave to defend, on condition that *(state terms; for instance):*

1. The cause be put on the list at the present term without notice of trial *(or,* the cause be tried without notice of trial on the ..... day of ..... instant or such later day as may be hereafter ordered);

2. The following facts and documents be admitted: *(State uncontested facts and documents not admitted in pleadings:)*

3. The defendant, within ..... days, make to the plaintiff, and file in the cause, a bond of himself and a surety company authorized to do business in this State, in the sum of $....., conditioned to pay such judgment, if any, as plaintiff may recover against him in this action.

(Or, pay into court the sum of $....., as security for such judgment as plaintiff may recover against him in this action.)

No. 32. PRELIMINARY REFERENCE—COMMISSIONER'S SUMMONS. Commissioner's summons.

(Title.) } Commissioner's Summons (Rule 58.)

To ——— ———, Defendant:

On motion of plaintiff, you are hereby notified that on the 10th day of January, instant, at 10 o'clock A. M., at my office, No. 10 ..... street, Trenton, I will hear any motions that may be made by either party in the above-stated cause respecting the pleadings, issues, evidence, or any other matter preliminary to, and in preparation for, trial; and will make such

order respecting the same as the parties respectively may be entitled to.

Dated January 4, 1912.

....,
Supreme Court Commissioner.

Order of commissioner.

No. 33. COMMISSIONER'S ORDER. (Rule 59.)

(Title.) } Commissioner's Order.

Having heard the parties *(or,* having heard the plaintiff, the defendant not appearing, though duly summoned), it is ordered that:

1. PLEADINGS. Complaint be amended by stating where the contract therein stated was made.

2. ISSUES. The issue to be tried upon the first count is whether or not the letter dated June 1, 1911, written by plaintiff to defendant, accepting defendant's offer to sell, was mailed within a reasonable time after receipt of that offer.

3. PARTICULARS. Plaintiff, within ten days, serve fuller particulars as to the items of his claim under the second count.

4. ADMISSIONS. It is admitted that *(state relevant facts which are not disputed, other than those admitted in the pleadings).*

5. INTERROGATORIES. The first, fifth, seventh and tenth are struck out. All others allowed.

6. DISCOVERY OF DOCUMENTS. Plaintiff, within 5 days, serve a list under oath of all documents under his control which are relevant to any issue in the cause, except his personal diaries and his books of account.

7. *(Continue as to other matter, if any.)*

Dated January 10, 1912.

(Signed) ....,
Supreme Court Commissioner.

Judgment without pleadings.

No. 34. JUDGMENT WITHOUT PLEADINGS. (Pr. Act, sec. 23.)

(Title.) Statement of case for judgment without pleadings.

The parties submit the following case for judgment without pleadings:

1. On January 1, 1911, at Trenton, by written agreement (a copy of which is annexed), defendant employed plaintiff for an indefinite period at a salary of $500 a month, to act as manager of defendant's manufacturing business.

2. Under said agreement, plaintiff acted as manager of said business from January 1, 1911, to January 1, 1912, when he was discharged from said employment by defendant, without notice.

3. Plaintiff claims:

(a) That he fully performed all his duties under said agreement in an efficient manner and gave no cause for said discharge;

(b) That under the terms of said agreement, he could not be lawfully discharged without 30 days' prior notice.

(c) That he is entitled to $500 damages.

4. Defendant claims:

(a) That plaintiff acted negligently in the performance of his duties under said agreement, in that he neglected to make prompt shipment of goods to customers upon the orders named, and on the dates stated, in the annexed list.

(b) That for the causes aforesaid plaintiff was, under the terms of the said agreement, liable to discharge without notice.

(c) That, by the proper construction of said agreement, plaintiff was not entitled to notice of discharge in any case.

5. The above issues are submitted for trial without a jury.

6. The Honorable ....., Justice of the Supreme Court (*or* Judge of the Circuit Court), is agreed upon as the Judge who shall hear and determine this case.

7. No appeal shall be taken from the judgment entered on his findings.

Dated February 10, 1912.

(Signed)

E. F.,
Attorney of Plaintiff.
G. H.,
Attorney of Defendant.

NOTE: *Paragraphs 6 and 7 may, or may not, be used, according to the agreement of the parties.*

Findings of court.

No. 35. FINDINGS OF THE COURT. (Rule 69.)

(Title) { Findings.

This case was tried before Justice (*or* Judge) ..... without a jury at the ..... Circuit on December 10, 1911.

After hearing the evidence and counsel for plaintiff and for defendant, the court finds:

1. The statements in paragraph 1 of the first count of the complaint are supported by the evidence.

2. The statements in the second count are not supported by the evidence.

(Continue statement of findings, dealing with each paragraph of the complaint or answer separately, unless a finding upon part of them is conclusive of the case.)

3. The court rules that the letter from plaintiff to defendant, dated ..... (Exhibit P-2), and defendant's reply, dated ..... (Exhibit P-3), constitute a memorandum in writing within the meaning of the statute of frauds.

4. The court rules that the third count of the complaint discloses no cause of action, because it states no special damage.

5. The court finds for the plaintiff and against the defendant upon the first count, and in favor of the defendant and against the plaintiff on the second and third counts of the complaint.

6. The damages of plaintiff on the first count are assessed at $.....

(Signed)

.....

J.

Statement on appeal.

No. 36. STATEMENT OF THE CASE ON APPEAL. (Pr. Act, Sec. 26, Rules 65, 66, 76.)

(See also Form 28, Note.)

(Title.) { On Appeal.
Statement of the Case.

1. *(Insert here copy of the notice of appeal.)*

2. *(Insert here record of the case; see Form 28.)*

3. *(Insert transcript of the stenographer's notes of the evidence with the exhibits; or a statement of the evidence in the following form:)*

3. Plaintiff's witnesses testified as follows: *(State testimony of plaintiff's witnesses, either by question and answer or reduced to narrative form; introductory and unimportant matters should be in narrative form, and all matters not relevant to the questions raised on review should be omitted.)*

4. Defendant's witnesses testified as follows: *(To be filled up.)*

5. The court submitted to the jury the following questions, to which the jury returned the following answers: *(Copy questions and answers.)*

6. Whereupon the Court ordered a general verdict to be entered in favor of the plaintiff and against the defendant for $..... damages *(or in lieu of 5 and 6 when no written questions were submitted)* "The jury returned a verdict for the plaintiff for $..... damages."

7. Annexed is a list of the documentary evidence relevant to the questions on review, arranged in order of their dates.

(Signed)

E. F.,

Attorney of Appellant.

Notice of appeal.

No. 37. APPEAL. (Pr. Act, Sec 26, Rules 72, 74.)

Court of Errors and Appeals.

(Title) Notice of Appeal.

To .....,

Attorney of Plaintiff:

Take notice, that the defendant appeals from the whole of the judgment entered in this cause *(or,* from so much of the judgment entered in this cause as adjudges that: *state the part of the judgment appealed from)* on the following grounds:

1. The first count of the complaint discloses no cause of action. It fails to show that *(specify the particulars in which the statement of the cause of action is deficient).*

2. The letter dated ..... written by plaintiff to defendant was excluded from evidence.

3. The deed dated ..... made by L. M. to S. T. was admitted in evidence.

The following questions were overruled:

4. To the witness B. C. *(Copy the questions.)*

5. To the witness C. D. *(Copy the questions.)*

The following questions were admitted:

6. To the witness G. H. *(Copy the question.)*

7. The court charged the jury. *(Copy the parts of the charge claimed to be erroneous).*

(Signed)

X. Y.,
Attorney of Appellant.

Approved March 28, 1912.

CHAPTER 232.

An Act respecting actions by or against married women.

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

Women in law

1. A married woman may sue, or be sued, without joining her husband, in any case whatsoever in which he would be an unnecessary party if he were not her husband.

Approved March 28, 1912.

CHAPTER 233.

An Act to provide for the transfer of causes by and between the Court of Chancery and the Supreme Court, or Circuit Courts, or Courts of Common Pleas.

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

Causes transferred to proper court.

1. No civil cause or matter, hereafter pending in any court mentioned in the above title, which has not jurisdiction of the subject matter, shall be dismissed for that cause only, but the cause or matter shall be transferred with the record thereof and all papers filed in the cause, for hearing and determination to the proper court, which shall thereupon proceed therein, as if the cause or matter had been originally commenced in that court. The record shall, when necessary, include a transcript of all entries and proceedings in the cause.

Record.

When transfer made.

2. Such transfer may be made at any stage of the proceedings and upon, or without, application, and subject to rules, or the special orders, of court.

Rules.

3. Rules for such transfers from the Court of Chancery shall be made by that court; rules for such transfers from the other courts shall be made by the Supreme Court.

Appellation.

4. This act may be referred to as "The Transfer of Causes Act (1912)."

Approved March 28, 1912.

New Jersey State Library

CHAPTER 234.

An Act to amend an act entitled "An act concerning tuberculosis among cattle, regulating the importation of cattle into this State; providing measures to check the spread of tuberculosis among cattle in this State; creating the commission on tuberculosis among animals; prescribing its powers and duties, and fixing penalties for violation of this act," approved April twenty-fourth, one thousand nine hundred and eleven.

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

Paragraph 2 amended.

1. Amend section one, paragraph two, to read as follows:

Organization.

2. The commission may elect one of its members as president and one as secretary, may appoint a treasurer, who need not be a member of the commission, chief inspector, who shall also act as assistant to the secretary, as many inspectors, not exceeding six, as in its judgment are necessary for the proper enforcement of this act, and such clerical assistance as may be necessary. Within the limits of appropriations the commission shall fix the compensation to be paid to these officers and employes. The members of the commission shall receive traveling expenses while engaged in the work of the commission.

Inspectors.

Compensation.

Expenses paid.

Paragraph 5 amended.

2. Amend section two, paragraph five, so as to read as follows:

Valuation of suspected animals.

5. Whenever the commission shall be notified by the secretary of the State Board of Health, or any owner or owners of dairy animals, requesting him to inspect such animals supposed to be diseased with tuberculosis, a veterinarian and an inspector may be designated by

the commission to make such inspection and the inspector may agree with the owner or owners upon the valuation of such animals as are to be inspected; in cases where no agreement can be reached the inspector designated by the commission shall choose one disinterested freeholder, the owner or owners shall choose one and the two shall designate a third, who shall ascertain and decide upon the market value of each animal to be examined by the commission, and shall sign certificates thereof in the presence of a witness who shall attest the same; such valuation shall in each case be made on the basis of the market value of the animals the day the valuation is made; and if upon examination by the veterinary any animals in said herd are found to be infected with tuberculosis they shall be, in the discretion of the commission, condemned and slaughtered; in such case three-fourths of such valuation so ascertained shall be paid by the State to the owner or owners on presentation of such certificate with the approval of the said commission endorsed thereon; *provided,* such appraisement shall not exceed fifty dollars for each animal condemned; *and provided further,* that no compensation shall be made for animals considered by the commission to be of no value. If the meat of the slaughtered cattle shall be passed for use as food by the federal authorities or a State Board of Health or municipal inspector, the commission is hereby authorized to sell the same and the proceeds from the sale of the meat, hide and other marketable parts of the said animal shall be paid into the State treasury.

Infected animals slaughtered.

Proviso.

Proviso.

Proceeds from sale.

3. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 235.

An Act to enable cities of the second class to create the office and fix the term of Comptroller and to prescribe his duties.

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

City comptroller.

1. In all cities of the second class in this State it shall be lawful for the common council, or other governing body to create and establish by ordinance the office of comptroller and prescribe the duties thereof in accordance with this act and to fix the salary or compensation thereof, which shall not exceed the sum of thirty-six

Salary.

hundred ($3,600) dollars per annum, said salary or compensation to be in lieu of all fees; and to provide that for the faithful performance of his duties he shall

Bond.

give a bond in such an amount as the said common council, or other governing body having control of the finances of the city, shall prescribe.

Duties.

2. The said comptroller shall be chief financial officer of the city, and it shall be his duty to supervise all the fiscal concerns of said city in such manner and to report thereon at such times as the common council, or other governing body shall prescribe by ordinance. It shall be the duty of the said comptroller to sign all warrants

Records.

on the city treasurer. He shall keep such books, records and accounts as the common council may prescribe, and keep detailed accounts of appropriations made by the common council for each and every department of the city government. He shall examine, audit

Audit claims.

and check every bill or claim against the city, and if it be for any purpose for which there is no appropriation, or the appropriation for which shall have become exhausted, or to which for any cause he cannot give his approval, he shall report the fact to the common coun-

cil, and the warrant in such case shall not be signed, except by special authority of the common council. He shall, before signing any warrant on the city treasurer in payment of any bill or claim against the city, first audit the bill containing or making up such bill or claim with a view to ascertain whether the items and calculations are correct and after so auditing shall submit said bill or claim to the officer having control of the department against which said bill or claim is made and against which the warrant is to be drawn. If the said officer having control of the department, after examining said bill or claim, shall find the same to be correct in every particular, he shall approve said bill or claim and return the same to the said comptroller for payment in the manner herein provided; he shall also be authorized whenever, in his judgment, the interest of said city shall require, to examine under oath any person presenting a bill or claim against the said city for the payment of moneys, and also to examine witnesses and to investigate by other evidence and inquiry as to all the facts relating to said claim which, in his opinion, are necessary to establish the accuracy and good faith of said claim and to ascertain the liability of the said city therefor. The said comptroller shall, as often as he shall deem necessary, or when the common council or other body having control of the finances of said city shall direct, suggest plans to the said common council or other body having control of the finances, for the improvement, better management and safeguarding of the finances of the city. He shall have control, under the direction and supervision of the common council or other body having control of the finances, of the fiscal concerns of all departments and officers of the city, and it shall be his duty to have the accounts, books and records of all city officers and departments, where funds of the city are received or disbursed, examined and balanced at least once a month or at such other times as it may appear desirable, or as may be required by the common council or other body having control of the finances, and he may require at any time and from any

Approval of bills.

Suggestions for betterments in the service.

Control of all fiscal matters.

Books balanced monthly.

and all the city departments and officers a full exhibit of their business and a statement and account in detail of any or all moneys and property of the said city within the control or possession of said department or officers, and the said comptroller shall immediately, in case of any default, delinquency or official misconduct, report the same to the common council, and, in order that he may fulfill his duties and make complete audits of the accounts, he shall have power, whenever he shall see fit, to examine all books, papers and vouchers pertaining to any and all departments of the city business, and shall have free and unrestricted access to them for the purposes aforesaid; *provided,* that nothing herein contained shall apply to the board of education of such city.

Action in cases of official misconduct.

Proviso.

Monthly and annual reports furnished council.

It shall be the duty of said comptroller to furnish a detailed statement of cash receipts and expenditures to the common council at the close of each month, and within a period of sixty (60) days after the close of the fiscal year he shall furnish the common council with a full and complete report of all transactions for the preceding year, setting forth in said report a condensed balance sheet showing the resources and liabilities of the said city.

Custodian of certain records.

Said comptroller shall be the custodian of all tax duplicates, assessment and water department books and records, which shall from time to time be delivered to him by the assessors and other officers of said city, and it shall be his duty to order and cause to be delivered or mailed to such person or persons as shall be assessed for taxes, assessments, water rents, or otherwise, a bill or statement of the same, unless otherwise provided by the common council. He shall collect all delinquent taxes and assessments and conduct sales therefor and also sales for unpaid water rents due to the city in the manner now or hereafter prescribed by law or ordinance of the common council. It shall be his duty, on demand, to make searches for all taxes, assessments and water rents, sales or conveyances for delinquent taxes and assessments, or other municipal

Collect delinquencies.

Searches.

liens, affecting any property in such city, and to deliver to the applicant therefor a written certificate signed by him. He shall collect such fee for said searches as may be fixed and determined by the common council of said city.

As to bond issues.

3. Whenever any bonds shall be issued by said municipality for any lawful purpose, it shall be the duty of the said comptroller to execute said bonds on behalf of the city, together with such other officer or officers as may be prescribed by law, and to keep an account of all such bonds in proper accounts, with the numbers, dates and amounts thereof, when and where redeemable and when and where the interest on said bonds is payable, and to furnish to the commissioners of the sinking fund a statement showing the amount of every issue of bonds and all particulars which may be necessary and proper for the said commissioners to be advised of, within thirty (30) days after the issuance of any bonds by such city.

Term of comptroller.

4. The common council may prescribe by ordinance the term of said comptroller, which shall not be for a longer period than three (3) years from the first day of January succeeding the passage of the ordinance in pursuance of this act; *provided,* that the common council may elect such officer from the date the ordinance in pursuance of this act shall take effect, to serve until the first day of January succeeding his election and until his successor is elected and qualifies. The common council may by ordinance provide for such clerical assistance as may be needed by the said comptroller and fix the duties of said assistant or assistants and prescribe the salaries thereof, which in no case shall exceed the sum of eighteen hundred ($1,800) dollars per annum for each assistant.

Proviso.

Clerical assistance.

Exception.

5. This act shall not apply to any city which now or hereafter has a provision in its charter, or is governed by a general law prescribing the duties of such office as set forth in this act.

Position of auditor abolished.

6. In any city adopting the provisions of this act by ordinance, the office of auditor, or the duties of

which correspond to the office of comptroller, as prescribed by this act, shall be abolished from the date of the election of said comptroller by the common council, or other governing body, and his qualifications thereof.

Repealer.

7. All laws or charter provisions affecting any city which shall adopt this act by ordinance which are inconsistent herewith, are hereby repealed.

When ordinances in effect.

8. This act shall take effect immediately, but any ordinance enacted by any city of the second class in pursuance of this act shall not take effect in said city until after the thirty-first day of December, one thousand nine hundred and twelve.

Approved March 28, 1912.

CHAPTER 236.

An Act to enable cities of the second class to create the office and fix the term of city treasurer and to prescribe his duties.

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

City treasurer.

1. In all cities of the second class where there is no officer known as a city treasurer, it shall be lawful for the common council or other governing body to create and establish by ordinance the office of city treasurer and to prescribe the duties substantially in accordance with this act; and to fix the salary or compensation of such officer, which shall not exceed the sum of twenty-five hundred ($2,500) dollars per annum, which compensation shall be in lieu of all fees; and to prescribe that such officer shall give a bond for the faithful performance of his duties in such an amount as the said common council or other governing body having charge of the finances of the city, shall direct.

Salary.

Bond.

Duties.

2. The said city treasurer shall be in charge of the affairs of the city treasury and shall receive all moneys belonging to the city and shall disburse the same as directed by law and shall keep an account of all receipts and expenditures in such manner as the common council shall direct and shall perform such other duties appertaining to his office as may be required of him by law or by the common council, by ordinances. The said treasurer shall at the close of the fiscal year make out a true and full account of the receipts of his office and the expenditures during the year and also the state of the treasury, and after the same has been audited and certified by the comptroller or auditor of said city, within sixty (60) days thereafter deliver said account to the city clerk, if any, who shall lay the same before the common council at its next regular meeting. The common council may by ordinance provide for such clerical assistance as may be needed by the said city treasurer, and fix the duties of said the assistant or assistants and prescribe assistance as may be needed by the said city treasurer, and fix the duties of said the assistant or assistants and prescribe the salaries thereof, which in no case shall exceed the sum of one thousand five hundred dollars per year for each assistant.

Annual statement.

Clerical assistance.

Term.

3. The common council may prescribe the term of office of said city treasurer, which shall not be for a longer period than three years, from the first day of January succeeding the passage of the ordinance in pursuance of this act; *provided*, that the common council may elect such officer from the date the ordinance in pursuance of this act shall take effect, to serve until the first day of January succeeding his election and until his successor is elected and qualifies.

Proviso.

Excepton.

4. This act shall not apply to any city which now or hereafter has a provision in its charter or is governed by a general law prescribing the duties of such office as set forth in this act.

Position abolished.

5. In any city adopting the provisions of this act by ordinance the office of collector of taxes, or the office, the duties of which correspond to those of the office of

city treasurer as prescribed by this act, shall be abolished from the date of the election of said city treasurer by the common council or other governing body, and his qualification thereof.

Repealer.

6. All laws or charter provisions affecting any city which shall adopt this act by ordinance, which are inconsistent herewith, are hereby repealed.

When ordinances in effect.

7. This act shall take effect immediately, but any ordinance enacted by any city of the second class, in pursuance of this act, shall not take effect in said city until after the thirty-first day of December, one thousand nine hundred and twelve.

Approved March 28, 1912.

CHAPTER 237.

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 6 amended.

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

Salaries of judges of district courts.

6. The salaries of the judges of said courts shall be fixed as follows: In cities having two hundred thousand inhabitants or over, an annual salary of four thousand dollars; in cities having between one hundred thousand and two hundred thousand inhabitants, an annual salary of thirty-five hundred dollars; in cities having between sixty thousand and one hundred thousand inhabitants, an annual salary of three thousand dollars; in cities having between twenty-five thousand and sixty thousand inhabitants, an annual salary of twenty-five hundred dollars; and in cities having be-

tween twenty-three thousand and twenty-five thousand inhabitants, an annual salary of two thousand dollars; and in cities having between seventeen thousand and twenty-three thousand inhabitants, an annual salary of fifteen hundred dollars; in judicial districts the population of which, as ascertained by any State or Federal census, is more than one hundred thousand, an annual salary of two thousand dollars; in judicial districts the population of which, as ascertained by any State or Federal census, is less than one hundred thousand, an annual salary of twelve hundred dollars; *provided,* that where court shall be held at more than one place in a judicial district at stated periods, an annual salary of eighteen hundred dollars.

In judicial districts.

Proviso.

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

Section 8 amended.

8. The salaries of 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 ninety thousand and two hundred thousand inhabitants, an annual salary of seventeen hundred and fifty dollars; in cities having between sixty thousand and ninety 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; in judicial districts, the population of which, as ascertained by any State or Federal census, is more than one hundred thousand, an annual salary of twelve hundred dollars; in judicial districts the population of which, as ascertained by any State or Federal census, is between thirty-five thousand and one hundred thousand, an annual salary of eight hundred dollars; in judicial districts, the population of which, as ascertained by any State or Federal census is less than

Salaries of clerks of district courts.

In judicial districts.

thirty-five thousand, an annual salary of six hundred dollars; which salaries of such clerks shall be lieu of all fees whatsoever. In all judicial districts where said court shall be held at more than one place at stated periods, there may be an assistant clerk for such judicial district, who may be appointed and hold office in the same manner and for the same time as the clerk thereof, and who, when and if appointed, shall receive an annual salary as follows: In judicial districts exceeding one hundred thousand inhabitants, as ascertained by any State or Federal census, an annual salary of eight hundred dollars; in judicial districts containing between thirty-five thousand and one hundred thousand inhabitants, as ascertained by any State or Federal census, an annual salary of five hundred dollars; in judicial districts with less than thirty-five thousand inhabitants, as ascertained by any State or Federal census, an annual salary of three hundred and fifty dollars; *provided, however,* the appointment of such assistant clerk shall not take effect until the judge of the court to which he is appointed shall certify in writing that the business of such judicial district is of such volume that the due administration of justice requires, in his opinion, the appointment of such assistant clerk in order that the business of the court may not be unnecessarily delayed, which certificate shall be filed in the office of the clerk of said court and a duplicate in the office of the board of chosen freeholders of the county in which such judicial district shall be established.

Assistant clerks.

Proviso.

3. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 238.

A Supplement to an act entitled "An act concerning the militia of this State, approved May sixteenth, one thousand nine hundred and six (Revision of 1906, p. 439, Laws of 1906)."

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

Private soldier may be brevetted.

1. The Governor and Commander-in-Chief, upon the application in writing of any citizen of this State who is a member of the National Guard and who shall have faithfully served therein continuously for a period of forty (40) years without any commission as an officer, may, upon certification by the Adjutant-General as to said service and by and with the advice and consent of the Senate, confer upon him the brevet rank of second lieutenant.

Commissions shall issue as to elected or appointed officers.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 239.

An Act to amend 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:*

Section 24 amended.

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

Deeds may be acknowledged or proved out of the United States.

24. If the party who shall have executed or who shall execute any such deed or instrument of the description or nature above set forth in the twenty-first section of this act, or the witnesses thereto, shall have happened or shall happen to be in any foreign kingdom, state, nation, or colony, whether such party or witnesses resided or reside in this State, or such foreign kingdom, state, nation, or colony, or elsewhere, then such acknowledgement or proof as is above prescribed, made

Before what officers.

before and certified by any master in chancery of New Jersey, or any public ambassador, minister, consul, vice-consul, consular agent, charge d'affaires or other representative of the United States for the time being, to or at any such foreign kingdom, state, nation, or colony, or before any court of law of such foreign kingdom, state, nation, or colony, or before and by any notary public, or mayor or other chief magistrate of and then having been, or being within any city, borough, or corporation of such foreign kingdom, state, nation, or colony, in which city, borough, or corporation such party or witnesses may have happened or may happen to be, certified in such cases by such court of law, notary public, mayor or chief magistrate in the manner in which

Authenticated.

such acts are usually authenticated by them, shall be as good and effectual as if such acknowledgement or proof had been made with this State before the Chancellor

Proviso.

thereof and had been certified by him; *provided,* in cases where the acknowledgement or proof was or shall be made before any court of law of such foreign kingdom, nation, state or colony, or before and by any notary public, or mayor or other chief magistrate of and then having, been, or being within any city, borough, or corporation of such foreign kingdom, state, nation, or colony, the certificate of acknowledgement or proof shall be accompanied by a certificate under the great seal of such foreign kingdom, state, nation, or colony, or under the seal of some court of record of the same in which it was or shall be made, that the officer before whom such acknowledgement of proof was or shall be made, was at the time of the taking of said acknowledgement or proof, authorized by the laws of said foreign kingdom, state, nation, or colony, to take the acknowledge-

ments and proofs of deeds or conveyances for lands, tenements, or heraditaments in such kingdom, nation, state, or colony, shall be as good and effectual as if such acknowledgement or proof had been made within this State before the Chancellor thereof and had been certified by him.

Approved March 28, 1912.

CHAPTER 240.

An Act to amend an act entitled "An act to amend an act entitled 'An act concerning paid fire departments in cities of the first class, and for the relief of members thereof and their families,' approved April twenty-fourth, one thousand nine hundred and two," which amendatory act was approved April tenth, one thousand nine hundred and eight.

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

1. The first section of the act entitled "An act to amend an act entitled 'An act concerning paid fire departments in cities of the first class, and for the relief of members thereof and their families,' approved April twenty-fourth, one thousand nine hundred and two," which amendatory act was approved April tenth, one thousand nine hundred and eight, be and the same is hereby amended to read as follows: Section 1 amended.

1. Section ten of the act to which this is an amendment be and the same hereby is amended so as to read as follows: Section 10 amended.

10. Such pension fund shall be provided and sustained and the amount of pension and to whom paid shall be as follows: Pension fund; how provided and sustained.

I. By one-half of the two per centum of the premiums received for insurance effected in such cities by foreign insurance companies, which is now, by law, Foreign insurance companies.

required to be paid to local firemen's relief associations in such cities, 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 cities to the treasurer of the corporation 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 such pension fund, or his family, 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.

Penalties. II. By all fines, penalties and forfeitures assessed upon and collected from any officer or member of such fire department.

Rewards, etc. III. By all rewards, fees, gifts or emoluments paid or given for extraordinary service rendered by any officer or member of said fire department, except when the same is allowed by the board of fire commissioners, or other duly authorized municipal authority having charge and control of the said department, to be retained by such officer or member, or when the same is specially given to endow a medal or other competitive reward.

Donations, etc. IV. By all appropriations, donations, devices and bequests that may be made or given to such pension fund by any such municipality or other corporation or person.

Fees from permits. V. By all fees received for permits issued by such board of fire commissioners, and the moneys obtained by the sale of old material and property of such paid fire department other than real estate.

Chimney fires. VI. By all fines that may be imposed upon persons or corporations whose chimneys are negligently set on fire.

Licenses of amusement places. VII. By such license fee as is now or shall hereafter be imposed upon and collected by the city from the own-

ers or lessees of theatres, and places known as nicoldromes, nicoletts, moving-picture shows, amusement parlors, circuses, exhibitions and all like places of public amusement in such city for each performance therein, which shall be paid to the treasurer of such corporation for the benefit of such fund.

Assessment on members.

VIII. The board of trustees of such corporation shall assess and collect from each and every member of such department, for such pension fund, a sum not exceeding two per centum of his salary and not less than one per centum thereof; said sum shall be paid by each and every member monthly to the treasurer of such corporation, and such assessment and collection shall be in manner and form as may be provided in the by-laws of the corporation.

Pensions paid.

2. Pensions shall be paid from such fund in the manner following:

Retirement on age.

I. In all cities of this State, in which this act shall become operative, all members of such departments who shall have honorably served therein for 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 city, be retired by such board, and shall thereupon receive from such pension fund an amount annually equal to one-half of the salary received by such member at the time of his retirement.

Incapacity.

II. If any member of such department shall hereafter become incapacitated, either mentally or physically, for the performance of his duties, whenever such incapacity is the result of injury received or illness incurred in the discharge of his duties as a member of such department, he shall be retired by such board of fire commissioners, or other duly authorized municipal body having charge of such fire department, and shall thereupon be entitled to receive from such pension fund an amount equal to one-half of his salary received by him at the time of his retirement.

Unable to serve through illness or injury.

III. Any member of such department who shall have served therein for twenty years, continuously or otherwise, who shall become incapacitated, either mentally or physically, from illness or injury incurred in the

performance of his duties as a member of such department, or who by reason of advanced age is found unfit for the performance of his duties, shall be retired by the board of fire commissioners, or other duly authorized or municipal body having control of such fire department, and shall thereupon receive from such pension fund an amount equal to one-half the salary received by him at the time of his retirement.

Widow of active member.

IV. When any member of such department shall die his widow shall receive from such fund, annually, payable in monthly installments, a sum equal to one-half of the salary then received by such member during her widowhood.

Widow of pensioned fireman.

V. When any member of such department shall die, after having been retired and pensioned, his widow, providing she was his lawful wife at the time of his retirement from such department, shall receive from such fund, annually, payable in monthly installments, a sum equal to the pension then received by him during her widowhood.

Pension for children or parents.

VI. In either of the above cases, if such member leave no widow, who was his lawful wife at the time of the death of such member, while serving in such department, or at the time of his retirement from such department, or if leaving such widow, she shall remarry, then such children as he shall leave him surviving, under the age of sixteen years, shall receive from the fund a sum equal to the amount received by such member at the time of his death, which shall be divided equally among them if there is more than one child. If such member shall leave neither widow (to whom he was lawfully married at the time of his death while serving in such department, or at the time of his retirement from such department) nor children him surviving, then the parent or parents of such member, if dependent upon him for support, shall receive from such fund a sum equal to the amount received by such member at the time of his death, if such dependent parent shall remarry after his death, he or she shall cease to be entitled to receive any pension thereafter.

3. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 241.

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

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

1. (1) Any person who shall knowingly make or cause to be made, either directly or indirectly, or through any agency whatsoever, any false statement in writing, with the intent that it shall be relied upon, respecting the financial condition, or means or ability to pay, of himself, or any other person, firm or corporation, in whom he is interested, or for whom he is acting, for the purpose of procuring in any form whatsoever, either the delivery of personal property, the payment of cash, the making of a loan or credit, the extension of a credit, the discount of an account receivable, or the making, acceptance, discount, sale or endorsement of a bill of exchange, or promissory note, for the benefit of either himself or of such person, firm or corporation; or

Making false reports;

(2) Who, knowing that a false statement in writing has been made, respecting the financial condition or means or ability to pay, of himself, or such person, firm or corporation in which he is interested, or for whom he is acting, procures, upon the faith thereof, for the benefit either of himself, or of such person, firm or corporation, either or any of the things of benefit mentioned in the first subdivision of this section; or

Knowing false report made;

(3) Who, knowing that a statement in writing has been made, respecting the financial condition or means or ability to pay of himself or such person, firm or corporation in which he is interested, or for whom he is

As to confirming reports previously made;

acting, represents on a later day, in writing, that such statement theretofore made, if then again made on said day, would be then true, when knowing, in fact that, said statement if then made would be false, and procures upon the faith thereof, for the benefit either of himself or such person, firm or corporation, either or any of the things of benefit mentioned in the first subdivision of this section:

Misdemeanor.

Shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 242.

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:*

Streets, etc., plotted must be approved before filing with county clerk.

1. No map, plat, plan or chart of lands showing lots or streets, avenues, roads, lanes or alleys shall be accepted for filing by the clerk of the Court of Common Pleas or register of deeds, wherever such office exists, in any of the several counties of this State, unless the streets, avenues, roads, lanes or alleys shown on such map, plat, plan or chart shall have been first approved by the council, board of aldermen, township committee or other governing body having control of streets and highways of the municipality within the limits of which the lands lie wholly or in part.

Maps, etc., filed in duplicate.

2. All such maps, plats, plans or charts shall be filed in duplicate with the governing body having control of streets and highways of the municipality and when the same have been approved by the said governing body one copy of the map, plat, or plan or chart shall be for-

warded to the clerk of the Court of Common Pleas or register of deeds, wherever such office exists, for filing with the approval of the said governing body endorsed thereon.

Approval of maps by municipality.

3. Whenever any such map, plat or plan or chart shall be filed for approval with the governing body of any municipality the said governing body shall approve or disapprove the same within thirty days from the receipt thereof.

4. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 243.

An Act to authorize the State Water-Supply Commission to have supervision over the erection and maintenance of dams on certain rivers and streams or reservoirs within this State or between this and any other State.

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

Consent to dams, etc.

1. No municipal corporation, corporation or person shall, without the consent of the State Water-Supply Commission, build any reservoir or construct any dam on any river or stream in this State or between this and any other State, which will raise the waters of such river or stream more than five feet above their usual mean low-water height, nor repair, alter or improve dams now existing, which so raise the water, without such consent, but this act shall not affect or relate to dams where the drainage area above the same shall be less than one square mile in extent.

Application for approval of plans.

2. Every municipal corporation, corporation or person before the erection by it of any dam or reservoir, subject to the provisions of this act, shall apply to the

State Water-Supply Commission for the approval of the plans of such dam or reservoir, which approval said commission is authorized to grant with such modifications, limitations or changes as in its judgment may be necessary for the protection of life and property. If any municipal corporation, corporation or person has heretofore secured the property necessary for any dam, reservoir, or water power development and in good faith commenced the construction of the same, this section shall not apply to such construction, if maps, plans and descriptions of the proposed construction shall be filed with the commission within ninety days of the approval of this act.

Consent granted.

Exception.

Plans, etc., furnished.

3. Every municipal corporation, corporation or person owning and maintaining or having control of any dam or reservoir shall, upon written request therefor, furnish to the State Water-Supply Commission as full, true and particular description of such dam or reservoir as may be practicable, and shall, when so requested by the commission, cause to be made such necessary surveys, plans and drawings of any existing dam or reservoir as may be necessary to give sufficient information concerning any such dam or reservoir for the determination of its safety as may be required by said commission.

Inspection of dams on application or otherwise.

4. The State Water-Supply Commission upon application made to it in writing by any person owning or representing property liable to be injured or destroyed by the breaking of any dam or reservoir, or upon application being made by the mayor or governing body of any municipality on account of possible danger of loss of life or of injury to any highway or bridge within their jurisdiction from the breaking of any dam or reservoir, or without such complaint whenever the commission shall have cause to apprehend that any dam or reservoir is unsafe, shall forthwith thoroughly inspect such dam or reservoir. If, in its judgment, such dam or reservoir be not sufficiently strong to resist the pressure of water upon it, or if from any other cause the commission shall determine such dam or reservoir to be unsafe, or if, in its judgment, there is reasonable

If dam not adequate, action taken.

cause to believe that danger to life or property may be apprehended from such dam or reservoir, the commission shall determine whether the water above such dam or in such reservoir shall be drawn in whole or part, what alterations, additions and repairs are necessary to be made to such dam or reservoir to make the same safe, and shall forthwith in writing notify the owner or person having control of such dam or reservoir to cause such additions, alterations and repairs in said dam or reservoir to be made within the time to be limited in such notice, and may order the water above such dam or in said reservoir to be drawn off in whole or in part as said commission may determine.

Notice to owners.

5. If the owner or person having the control of any dam or reservoir who shall be required to draw off the water or a portion of the water, or to make alterations in any dam or reservoir or repairs thereon or additions thereto in the manner prescribed in the preceding section, shall not forthwith comply with such requirements, or shall not prosecute the work, when commenced, with reasonable expedition, the commission is hereby authorized to direct the Attorney-General to proceed in the name of the State to enforce its order in a court of competent jurisdiction; upon the filing of a petition by the Attorney-General in such court, a citation shall issue to the person controlling or owning such dam or reservoir, commanding him to appear at a time and place named therein to show cause, if any exists, why the relief prayed for should not be granted, and the court shall summarily hear the said cause, and upon hearing the parties, and by proceeding ex parte if the respondent fails to appear, the court may pass such order and decree in the premises as will effectually secure the persons interested from danger of loss from the breaking of the dam or reservoir complained of, and the court may enforce such orders and decree by injunction, process by contempt, by sequestration, or by such other processes as may be applicable in such cases.

If owner fail to act.

Attorney General called in.

Citation issued.

Hearing.

Enforcement of orders of court.

6. Where by the laws of this State any company may be authorized to be formed for the purpose of damming

Height of inter-state dams.

rivers or streams in this State or between this and any other State and to erect dams not to exceed a certain height, the State Water-Supply Commission may authorize such company to construct dams of a greater height where in its judgment the interests of the economical development of water power may require the same, provided the commission be first satisfied that such dam shall be constructed of sufficient strength to make the same safe, and that due compensation be made to the owners of any land or rights in land and water which may be affected by the construction of the same.

Inspection of dams.

7. The State Water-Supply Commission is hereby authorized, when provided with sufficient funds, to create a department for the inspection of existing dams and reservoirs and for the supervision of the erection of new dams and reservoirs hereafter to be constructed, to the end that said structures may be built with due regard for the safety of property and life which might be endangered by the improper construction of any dams and reservoirs in this State or upon streams between this and any other State.

Maintenance of existing dams and reservoirs.

8. When any dam or reservoir has been in existence twenty years, and the owners of land along the shores above such a dam or on such a reservoir, have made or shall have made permanent improvements on said land or where said shores have become a populated community, depending upon the permanency of the condition created, the owner or owners of such dam or reservoir shall not have the right, without the consent of the State Water-Supply Commission to tear down, destroy or abandon such dams or reservoirs, or withdraw the water below the usual low water-mark or maintain such a condition, except for the purpose of necessary repairs, when a petition, signed by a majority of land owners along the shore of any pond formed by any such dam or reservoir, protesting against the removal of any such dam, water or reservoir, has been filed with the State Water-Supply Commission.

Low water-mark fixed.

In such a case the State Water-Supply Commission shall grant a hearing, upon twenty days' notice to all

the parties interested, and may then establish and fix a permanent low water-mark, and should it appear that the maintenance of such a dam would be an undue burden upon the owner or owners thereof, the land owners interested above such dam or around such reservoir, may be ordered to pay a part or all of the expenses of maintenance, according to the discretion of the said commission.

Constitutionality of sections.

9. Should any part or section of this act be declared unconstitutional, such decision shall not affect the force or validity of the remaining portion of this act.

Repealer.

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

Approved March 28, 1912.

CHAPTER 244.

An Act to incorporate the borough of Peapack and Gladstone, in the county of Somerset.

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

Official name.

1. The inhabitants of that portion of the township of Bedminster, in the county of Somerset, hereinafter set forth, are hereby constituted and declared to be a body corporated in fact and in law by the name of the borough of Peapack and Gladstone, and shall be governed by the general laws of this State relating to boroughs.

Boundaries described.

2. The boundaries of the said borough shall be as follows: Beginning at a point in the middle of the north branch of the Raritan river and at the intersection of the boundaries of the townships of Bernards and Bedminster, in the county of Somerset, and the townships of Chester and Mendham in the county of Morris, and runs thence down the middle of the said north branch of

the Raritan river, following the division line between the said townships of Bernards and Bedminster, its several courses and distances to where the said line intersects the center line of the Passaic and Delaware branch of the Delaware, Lackawanna. and Western. railroad, thence leaving said river and running in a straight line to a point marking the intersection of the center line of the road known as the Holland road leading from Peapack to Greater crossroads with the road running to the road leading from Gladstone to Union Grove thence following the center line of said road its several courses and distances, and running in a general northwesterly direction to a point where said center line intersects the center line of the said road leading from Gladstone to Union Grove thence; leaving said road and running in a straight line in a general northwesterly direction to a point where the division line between the counties of Somerset and Morris intersects a small stream of water which has its source near Mt. Rose, thence following the said division line between the said counties of Somerset and Morris running in a straight line in a northeasterly direction to a point in the middle of the north branch of the Raritan river, the place of beginning.

(The above description is the same as the present lighting district, number one, as outlined by the township committee on June sixth, one thousand nine hundred and five.)

Proviso; referendum.

3. This act shall take effect immediately; *provided,* it shall not operate to affect the incorporation of the inhabitants 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 the 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 the election at a place within said territory to be fixed by the clerk of the township of Bedminster, in the county of Somerset. The clerk of the said township shall cause public notice of the time and place of holding said elec-

Special election.

Notice given.

tion 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 newspaper 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 partially printed and partially 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" shall 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 Bedminster, except no special form of ballot or any envelope need be used. The officers holding such election shall make return to the township committee of the township of Bedminster of the result thereof by a statement in writing, under their hands, and the same shall be entered at length on the minutes of the said township committee, and thereupon and upon such adoption, and not otherwise, this act shall be in all respects operative.

Ballots.

Election, how conducted.

Returns.

4. The register of 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, and it shall not be necessary for said board of registry and election 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 the township of Bedminster, 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

Register.

Revision of register.

in said described territory. Said meeting of the board of 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 names of all persons entitled to vote within such 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 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 shall be mailed to the chairman of the county board of elections of Somerset, to be filed by said board, and one copy shall be retained for the use of said board of election at such special election.

Statement filed with county clerk.

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

Approved March 28, 1912.

CHAPTER 245.

An Act to amend an act entitled "A supplement to an act entitled 'An act concerning county boards,' established for the protection of the public health and the registration of vital facts and statistics in counties of this State," approved April tenth, one thousand eight hundred and eighty-five.

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

Section 10 amended.

1. Section ten of an act entitled "A supplement to an act entitled 'An act concerning county boards,' estab-

lished for the protection of the public health and the registration of vital facts and statistics in counties of this State," approved April tenth, one thousand eight hundred and eighty-five, be and the same is hereby amended to read as follows:

Officers and employes.

2. Such board of health shall hereafter have power to control, appoint and supervise all the officers and employes connected therewith or authorized and required to perform service for it in any capacity, and may appoint such sanitary inspectors or officers not exceeding three, and from time to time procure such sanitary engineering service as may be essential for carrying out efficiently the objects, purposes and duties confided to it or which may hereafter be confided to it by any law of this State; which said board shall fix the pay and compensation for all services which may be rendered by such officers, employes and inspectors and the same shall be paid by the county in the same manner that the compensation of the other officers and members of said board is now paid.

Sanitary engineers.

Repealer.

3. All acts and parts of acts inconsistent with this act are hereby repealed.

4. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 246.

An Act providing for the collection of unpaid and future charges for the installation, sale, repair and testing of water meters, water services, connections, appliances and parts and renewals thereof, and authorizing the discontinuance of the supply of water for non-payment of any such charges made by cities wherein water works are owned and controlled by the city authorities.

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

Right of city to shut off water-supply from buildings.

1. In any city of this State, wherein water works

are owned by the city and controlled by the city authorities, the municipal department of the city government having charge of such water works or the regulation or the distribution and use of water from the reservoir or reservoirs connected with such water works, shall have full power and authority, in case of the neglect or refusal of any person or persons, corporation or corporations to promptly pay for the installation, sale, repair and testing of any water meter or water meters, water service or water services, connections, appliances or parts, and renewals thereof heretofore or hereafter furnished or made by such city or any municipal department thereof, in or upon any building, place or premises, or connecting with such building, place or premises, to shut off the supply of water from such building, place or premises and to make, adopt and enforce such by-laws, rule or rules and regulations as may be deemed proper by such municipal department in relation thereto. In case the supply of water shall be shut off from any building, place or premises for non-payment of such charges, the said city or such municipal department aforesaid shall not be compelled again to supply said building, place or premises or any additional building or erection thereon, with water until such unpaid charges, with interest and penalties, if required, shall be fully paid and satisfied; nothing in this act contained shall be so construed as in any manner to deprive the said city of any rights which it now has to prosecute any person or persons, corporation or corporations for such unpaid charges or the power to sell lands and premises for such unpaid charges or otherwise deprive the city of any existing rights regarding the same.

Payment of back charges.

City's rights.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 247

An Act permitting the use of armories of New Jersey by the State Boards of Agriculture and Horticulture and the State Grange.

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

Use of armories for agricultural meetings.

1. It shall be lawful for the commanding officer of the regiment having the use of the armory to permit such armory to be used for meetings of the State Board of Agriculture, State Board of Horticulture and the State Grange, subject to such regulations as may be prescribed by said commanding officer.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 248.

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

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

Sale of property acquired by municipality at tax sale, after six months.

1. Whenever any town, township, borough or other municipality, except a city, of this State shall have pur-

chased any lot or tract of land, under the procedure of the act to which this is a supplement, or any supplement or amendment of the same, and the space of six months has elapsed since the time of the said purchase, and no person or persons have made application to the said municipality to purchase the same from the said municipality for such a price as would be in accordance with the terms and provisions of said act of which this is a supplement, then, and in that event, it shall be lawful for the tax collector of the said municipality to advertise such lots or tracts of land for sale at public auction, which said advertisement shall be printed once a week, and for four successive weeks, in a newspaper printed and circulating in said municipality, if there be such a newspaper, and, if no newspaper be printed in said municipality, then in a newspaper printed in the county in which said municipality is situated, and circulated in said municipality. The said advertisement shall contain a description of each lot or tract of land so advertised for sale by its lot and block number, on the official maps of the municipality, if there be an official map, and also a description of the same by metes and bounds. The said advertisement also shall state the name of the former owner or owners of the said lots or tracts of land, if the same can be ascertained prior to the sale of the same and the purchase by the municipality.

Advertisement.

What advertisement to set forth.

Time and place of sale.

2. The said advertisement shall also designate the time and place to which the said lots or tracts of land will be sold at public auction, which said time must be between the hours of ten in the forenoon and three o'clock in the afternoon, and the place of the said sale shall be the office of the tax collector, if the said tax collector has an office, if not, in any place conveniently situated within the limits of the said municipality. At the time of the said sale so advertised, the tax collector shall proceed to sell the said lots or tracts of land at auction to the highest bidder or bidders for the same, and shall require of each successful bidder a deposit of at least ten per centum, of the price paid for each lot or tract of land. The said tax collector shall forthwith render to the town council, township committee or other

Sale.

Statement made to council.

governing body of the said municipality, a statement in writing, showing the various lots or tracts of land so sold by him, and the various prices bid therefor, which said governing body shall then have power, in its discretion, to direct the said tax collector to deliver to such purchaser or purchasers, or to any of them, a deed or deeds for the said lots or tracts so sold, if the prices bid for the same meet with the approval of said governing body. Should the said governing body, in its discretion, deem it advisable that any lot or tract should not be sold for the price so bid, it shall, in its discretion, direct the said tax collector to return the money paid on account of the same, and to readvertise said lots or tracts, or any of them, for sale in the manner hereinabove provided, which said sale shall be conducted in all respects in the same way and manner as hereinabove provided, and shall be in like manner subject to the approval of said governing body.

Action thereon.

Resale.

3. The tax collector shall have power, in his discretion, to adjourn any sale advertised under the provisions of this act, from time to time, no such adjournment, however, to be made for a period longer than two weeks, and no sale shall be adjourned for more than four times.

Adjournments.

4. When any lot or tract of land shall be sold under the provisions of this act, and the sale of the same approved by the governing body of any municipality, the tax collector shall give the successful bidder or bidders a deed for the same, which said deed shall correspond as to form with the deed prescribed under the provisions of the act to which this act is a supplement, when any lot or tract of land is sold under the provisions of the same.

Delivery of deeds.

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

Repealer.

Approved March 28, 1912.

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:*

May lay water mains and connections.

1. Any city of this State that may have heretofore adopted or may hereafter adopt the provisions of chapter two hundred and fifty, laws of one thousand nine hundred and eight, and the acts supplemental thereto and amendatory thereof, and owns or controls the source of its water supply may lay water mains or conduits and all necessary connections thereto in any public road or highway and make connections from said mains or conduits to any properties lying along the line of said mains or conduits and distribute water through said mains or conduits and connections to said properties, and charge and collect for water so distributed, within a radius of three miles of the source of water supply of said city, as measured from the pumping station, wells or reservoir of said water supply; *provided,* that nothing contained herein shall be construed to permit any municipality to enter in or upon any roads or highways now used by any municipality, supplying water under contract with any municipality to the inhabitants thereof, for the purpose of distributing water to properties lying along said roads or highways so occupied; *and provided further,* that the charges for water distributed under the provision of this act shall not be greater than those charged to the inhabitants of the cities taking advantage of the provisions of this act.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 250.

An Act to authorize the board of chosen freeholders of any of the counties of this State to change the location of its hospital for the insane to a point within such county, or by agreement with a board of chosen freeholders of another county to locate said hospital in the latter county, agreeing to build and maintain the same singly or jointly, and if one alone builds to care for the patients of the other on payment therefor, and to acquire and take lands for the purpose by gift, devise, purchase or condemnation, and to erect suitable buildings, and fit, furnish and equip the same, lay out the grounds, and to do everything proper for producing a modern hospital for the insane, and to issue bonds to defray the expense.

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

Change situation of insane asylum.

1. Whenever in any county of this State the board of chosen freeholders thereof shall determine, by a resolution which shall receive the affirmative votes of at least two-thirds of all its members, that any county hospital for the insane under its management and control is unsuitably located, and that it is expedient and desirable that the location thereof should be changed to some other place in its county, then it shall and may be lawful for such board to make such change.

Agreement to locate in another county.

2. If in the judgment of such board there is no suitable location within its county at which such hospital might be re-located, and it desires to locate in some other county of this State, it may do so by entering into an agreement with the board of chosen freeholders of such county, either to jointly build and maintain such

Joint use.

hospital, or that the board of one county may build and maintain the same with the right in the other to commit its patients therein, at a sum per week per patient to be agreed upon.

Preparation of plans, etc.

3. If the said boards agree to jointly build and maintain said hospital, they shall jointly agree upon the site thereof, appoint an architect, and approve of plans and specifications, and do and perform every other necessary act and thing for the completion of the work herein authorized and the maintenance of the same after completion, including the employment of physicians and other necessary employees in and about the institution.

Agreement to divide obligations.

4. If by the agreement between such boards one board is to build and maintain such hospital, that board shall select said site, appoint the architect, and approve of the plans and specifications, and do and perform every other necessary act and thing for the completion of the work herein authorized, and the maintenance of the same after completion, including the employment of physicians and other necessary employees in and about the institution.

In case of disagreement as to charges.

5. In the event of a single board erecting such hospital and the two boards cannot agree as to the sum to be paid for the maintenance of such patients, as aforesaid, by the board which does not join in the work of building, then it shall and may be lawful for either board to present a petition to the Court of Chancery, which court shall in a summary maner give a hearing to the parties, on such notice as the court may determine, and fix and determine the sum to be paid per week per patient by such board, as aforesaid.

Power to acquire lands, erect building, etc.

6. If any board concludes to change the location of its hospital, as aforesaid, the joint boards if they agree to undertake the work, or the single board, if it is to do the work alone, either within or without its county, shall have full power and authority to acquire lands within or without the county by gift, devise, purchase or condemnation, and to erect suitable buildings thereon, and to fit, furnish and equip the same; lay out the grounds, make provisions for a water supply and railroad connections, and do and perform such other things

as may be necessary or proper to be done in order to establish a modern hospital for the insane.

Work done by contract.

7. Where any work is to be done and materials to be furnished in the erection and construction of such buildings, or in the fitting, furnishing and equipping of the same, or in and about the grounds, where the cost thereof shall exceed the sum of one thousand dollars, the same shall be done and furnished on contract to be awarded to the lowest responsible bidder who shall furnish satisfactory security to the board or boards undertaking said work, on bids duly advertised for in the county or counties engaged in the work, and also where the buildings are to be erected, for at least two weeks, once in each week. And if the work be undertaken by joint boards, they shall appoint a committee to advertise for and receive such bids, which committee shall report the bids to said boards at their next meetings.

Joint boards.

Bond issue to meet expenses.

8. For the purpose of obtaining the moneys wherewith to acquire such lands, erect such buildings, and to do and perform all the work and things, including the purchase of materials and fittings, furnishings and equipment herein authorized, except that which might consist in maintenance only, it shall be lawful for the board of chosen freeholders of the county if one only undertakes the doing of the work, or the boards of chosen freeholders of the two counties undertaking the doing of said work, each to the extent of its share, to issue and sell the corporate bonds of its county at public sale, on bids duly advertised for, to an amount not exceeding one-fourth of one per centum of the ratables of such county; said bonds shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually, and the principal shall be payable at a time not exceeding fifty years from their date, and shall be signed by the director and clerk of the board and countersigned by the county collector, and the board shall raise by taxation from year to year sufficient with the accumulations in the sinking fund hereinafter mentioned to pay off and discharge said bonds at their maturity; and deposit the moneys so raised in a sinking fund to be created for that purpose; and shall also in-

Amount.

Rate.

Time.

Sinking fund.

clude in the annual county tax levy a sum sufficient to pay the interest thereon.

9. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 251.

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:*

Section 95 amended.

1. Section ninety-five of the act entitled "An act concerning the militia," approved May sixteenth, one thousand nine hundred and six, is amended to read as follows:

Brevet rank conferred for service.

95. The Governor and Commander-in-Chief may, upon the application in writing of any citizen of this State who is a member of the National Guard, and who shall have faithfully served as a commissioned officer therein for a period of more than ten years, or who shall be incapacitated by reason of military duty, place him upon the retired list, and if said citizen shall have served more than twenty years as a commissioned officer, by and with the advice and consent of the Senate, may confer upon him a brevet rank of not more than one grade higher than the highest rank held by him during his term of service.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 252.

An Act to amend an act entitled "An act concerning the militia," approved May sixteenth, nineteen hundred and six.

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

1. Section one hundred of the act entitled "An act concerning the militia," approved May sixteenth, nineteen hundred and six, be and the same is hereby amended to read as follows: Section 100 amended.

100. Any man who is a citizen of the United States or has declared his intention to become a citizen, if more than eighteen and less than forty-five years of age, fit for military service, of good character and temperate habits, may be enlisted in the National Guard of this State under the restrictions of this act for a term of not less than three years, except that men may be enlisted as musicians if more than sixteen years of age; any honorably discharged soldier, sailor or marine of the United States, and any honorably discharged member of the National Guard, Militia, Naval Reserve or Naval Militia of any State may be enlisted as hereinbefore provided, for a term of not less than one year; *provided, however,* such enlistment shall be made within one year from the date of said discharge; re-enlistments may be for one year; *provided,* such re-enlistment is made within one year from the date of discharge and the applicant is not then over forty-five years of age; no minor shall be enlisted without the written consent of his parent or guardian; no man who has been dishonorably discharged from any military organization of this State (except those who may have been discharged for the non-payment of a fine and have subsequently paid same) or of the United States, Enlistment; age and term. Proviso. Proviso. Minors. Qualifications.

shall be eligible for enlistment; men who have been discharged by reason of disbandment or for physical disability, and such disability shall have ceased, or upon their request, shall, if re-enlisted, receive credit for the period served prior to such discharge; every person who enlists or re-enlists shall, prior to his being mustered in, pass a medical examination as to his physical fitness for the service, and when passed by the medical officer, sign and make oath in an enlistment book, which book shall contain an oath of allegiance to the State and the United States and be in such form as may be prescribed in regulations issued by the Governor; such oath shall be taken and subscribed to before the commanding officer, or officer detailed by him, of a signal and telegraph corps, troop, battery, company or band and field music, who are duly authorized to administer such oath, but no enlistment shall be valid until it be approved by the commanding officer of the organization to which the signal and telegraph corps, troop, battery or company is attached or of which it forms a part.

Physical examination.

Oath of allegiance.

Approval by commandant.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 253.

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

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

1. Where in any city of this State a municipal insurance fund shall have been or may hereafter be established and insurance fund commissioners appointed, the

School property insured in municipal insurance fund.

board of education of the city school district of such city, in its discretion may, by resolution, provide that from and after the adoption of such resolution, the school buildings and school property of such school district shall be insured in the municipal insurance fund of the city.

Rates of premium

2. The insurance fund commissioners of such city shall have power to fix reasonable rates of premium for all insurance carried on school buildings and school property of the school district by such fund, and the board of education shall forthwith pay to the insurance fund commissioners of the city such premium for any insurance carried by such municipal insurance fund on school buildings and school property of such city school district. Whenever, in the discretion of the insurance fund commissioners of such city, they may deem it expedient, they may place insurance on school buildings and school property insured in the municipal insurance fund with insurance companies authorized to do business in this State, and the premiums for such insurance in excess of the rates of premium thereon fixed by the commissioners shall forthwith be paid to the commissioners by the board of education of the district. The policies of insurance shall provide that the loss shall be payable to the board of education of the school district.

Outside insurance.

Investment of premiums.

3. All moneys received by the commissioners for premiums on school buildings and school property insured in the municipal insurance fund of the city, except so much as may be necessary to pay premiums upon insurance placed upon any of such school buildings and school property with insurance companies as provided in section two of this act, shall be invested by the commissioners with the moneys of the municipal insurance fund and in the manner provided for the investment of such moneys.

Appropriations to municipal fund.

4. In case the school buildings and other school property of the school district of any city shall be insured in the municipal insurance fund of such city, as hereinbefore provided, the common council of such city, or other board or body having control of the finances of such city may, from time to time, if in its judgment

advisable, appropriate additional sums of money to the municipal insurance fund of the city from moneys under its control not otherwise appropriated, or by raising such sums in the tax levy for the years in which they are severally appropriated.

Buildings insured separately.

5. Each school building and the contents thereof shall be insured in the municipal insurance fund separately and for definite and determined sums respectively, except where the commissioners shall have insured the same in an insurance company as provided in section two of this act.

In case of loss.

In case of loss incurred by fire on any building or contents, not insured in an insurance company, if the loss be total, the commissioners shall pay, within sixty days, the whole sum from the municipal insurance fund to the board of education of the district; if the loss be partial and not total, the sum to be paid shall be fixed and adjusted by a commission of adjustment consisting of a commissioner of the municipal insurance fund, the president of the board of education of the school district and the chairman of the finance committee of the common council, or the president of the board or body of such city having control of the finances.

6. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 254.

A Supplement to an act entitled "An act to enable boards of chosen freeholders to acquire, improve and maintain public roads," approved March nineteenth, one thousand eight hundred and eighty-nine.

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

Petition for paving roads.

1. Whenever the owners of at least fifty-one per centum (51%) of the frontage of property abutting any

road or section of road proposed to be improved, or which has heretofore been improved under the act to which this is a supplement, shall petition the governing body of the municipality in which said lands and the said road or section of road shall lie, praying that said road or section thereof be improved, and paved, for its entire width from gutter to gutter, including the curbing or re-setting of curbing where necessary, and agreeing to pay their proportionate share of the entire added cost due to said increased width of improvement, and pavement, then, upon receipt of said petition, the governing body of said municipality shall furnish the boards of chosen freeholders of said county a certified copy of said petition, upon receipt of which said board of chosen freeholders may, by resolution, direct said improvement to be made; and, before said board of chosen freeholders shall proceed with said improvement so petitioned for, it shall be lawful for and the said governing bodies of said respective municipalities shall enter into a contract with the said board of chosen freeholders to pay such additional costs, which contract shall fix and prescribe the times and manner of payment by said municipality to said board of chosen freeholders of such added cost.

Municipalities to contract with freeholders.

2. Such cost and expense so contracted to be paid by such municipality shall be assessed and collected by said municipality upon and from the lands abutting upon said road or section of road so improved, in the same manner as other assessments for benefits for lands are authorized to be assessed and collected in such municipality.

Meeting. expenses.

3. It shall be lawful for the board of chosen freeholders to pay for the entire added cost due to the increased width of such improvement from any unexpended balance or funds in the posession of and belonging to said county, or to issue bonds of the county, to be designated "County Road Improvement Bonds," bearing interest at not more than five per centum per annum, to run for a period not exceeding eleven years, for the purpose of raising the money to pay the cost of such improvement, and all payments made by any municipal-

May issue bonds.

Rate.

Time.

ity on account of said improvement, under such contract with said board of chosen freeholders, as provided for in the first section of this act, shall be credited to the account from which said moneys may have been paid, or, in case bonds have been issued to raise said funds, then said payments made by such municipality shall be deposited in a sinking fund to retire said bonds.

Repealer.

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

Approved March 28, 1912.

CHAPTER 255.

An Act relative to the appointment by the common council and term of office of city surveyor or city engineer in cities of the third class.

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

City surveyor.

1. In cities of the third class it shall be lawful for the common council or other governing body to appoint the

Term.

city surveyor or engineer for a term of three years, and all appointments heretofore made for such term are hereby validated.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 256.

An Act to provide for the cancellation of certain records of marriages declared to be null and void by the Court of Chancery.

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

Cancellation of marriage license.

1. When a marriage shall have been declared to be null and void by the Court of Chancery in a suit instituted for that purpose, if the Chancellor shall be satisfied by the proof taken before the final decree, or by affidavit or otherwise after the final decree, that a record of said marriage exists in the State Bureau of Vital Statistics, he may order the said record to be cancelled as hereinafter directed. It shall not be necessary to pray for such relief in the bill or petition for such annulment of marriage, nor shall the custodian of said record be made a party to the said cause for this purpose. The order shall only recite that it appears to the satisfaction of the Chancellor that a record of the ceremony of marriage between the parties to this cause (naming them), performed on (date) by (naming the officer), exists in the State Bureau of Vital Statistics, and that by a final decree bearing date, etc., said marriage was declared to be null and void, and shall then direct that the aforesaid record be cancelled pursuant to the directions of this act, reciting the title of this act.

Nature of order.

Record endorsed by register.

2. Upon presenting a certified copy of said order to the registrar of said bureau, he shall endorse on the return of said marriage the following words: "This marriage declared to be null and void by the Court of Chancery. See order hereto annexed" and shall annex to the said return the certified copy of said order.

Fee.

3. The person procuring the said cancellation shall first pay to the registrar of the said bureau the sum of

one dollar, who shall pay the same over to the State Treasurer; which sum may be included in the taxable costs in the annulment suit.

Approved March 28, 1912.

CHAPTER 257.

An Act to authorize the erection and equipment of an armory at Passaic, New Jersey, according to the provisions of an act entitled "An act to provide for the erection and equipment of armories in counties of the second class in this State, and making appropriations therefor," approved April twenty-seventh, one thousand nine hundred and eleven, the amendments thereof and supplements thereto.

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

Upon acquiring land, armory may be built.

1. Whenever the board of freeholders of the county of Passaic shall certify to the State Military Board that there has been acquired and conveyed to the State of New Jersey a tract of land suitable for the erection of an armory, which land shall have been approved by the State Military Board, and the title thereto approved by the Attorney-General, as provided by the act entitled "An act to provide for the erection and equipment of armories in counties of the second class in this State, and making appropriations therefor," approved April twenty-seventh, one thousand nine hundred and eleven, the amendments thereof and supplements thereto, the State Military Board is authorized to proceed to the erection and equipment of said armory according to the provisions of the said act.

Appropriation.

2. The sum of twenty-five thousand dollars is hereby appropriated for such purpose, to be expended in accordance with paragraph six of the said act, when included in any annual or supplemental appropriation bill.

Approved March 28, 1912.

CHAPTER 258.

An Act to dedicate certain lands of the State of New Jersey, in the city of Trenton and the township of Ewing in the county of Mercer to public use.

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

Certain land in Trenton dedicated to road use.

1. The tract of land in the city of Trenton, county of Mercer, described as follows, to wit: Beginning at a point in the line dividing the lands of the State of New Jersey from lands nor or formerly of the Watchung Realty Company; said point being at an angle in Whittlesey road distant one thousand five hundred and sixty-five feet, measured on a course of north twenty-one degrees and fifteen minutes east from the north-easterly line of Stuyvesant avenue, and runs thence (1) along the aforesaid division line north twenty-one degress and fifteen minutes east two hundred feet to a point in the southerly line of the right of way of the Delaware and Bound Brook Railroad Company; the above described line being the easterly line of the tract of land twenty-five feet in width.

Certain land in Ewing township dedicated to road use.

2. The tract of land in the township of Ewing, in the county of Mercer, described as follows, to wit: Beginning at a point in the line dividing lands of the State of New Jersey from lands now or formerly of Case and Cain; said point being in the northerly line of the Delaware and Bound Brook Railroad Company, and runs thence along aforesaid division line north twenty-one degrees, fifteen minutes east; one thousand forty and five-tenths feet to a point. Corner to lands of the said State of New Jersey; the above described being the easterly line of a tract of land twenty-five feet in width.

Purpose.

3. The above described lands be and the same is hereby dedicated to public use for the purpose of ex-

tending Whittlesey road in the said city and township; *provided, however,* that in case the lands hereby dedicated should be vacated, or used for purposes other than for the public, then the State of New Jersey, its officers or agents may re-enter upon, enclose and resume the possession of the lands hereby conveyed.

Proviso.

4. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 259.

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 97 amended.

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

Issuance of bonds.

97. The legal voters of any township, incorporated town or borough school district may, either at the annual meeting of said district or at a special meeting

Purpose.

thereof called for that purpose, by the vote of a majority of the legal ballots cast, authorize the board of education to issue bonds of the district for the purpose of purchasing or taking and condemning land for school purposes, or building a school-house or school-houses, or making additions, alterations, repairs or improvements in or upon any school-house and the lands upon which the same shall be located, and of purchasing school furniture and other necessary equipment. Such bonds shall be issued in the corporate name of the district, for such sums and in such amounts and shall be

made payable in not more than thirty years from the date thereof, as directed by a majority of the legal ballots cast, with interest at a rate not exceeding six per centum per annum, payable half-yearly. Said bonds may be registered or coupon bonds, or may be registered and coupon bonds combined, and shall be signed by the president of the board of education and attested by the district clerk, shall bear the seal of the district, and shall have coupons attached for current payment of interest, which coupons shall be signed by the district clerk and shall be numbered to correspond to the several bonds to which they shall be severally attached. Bonds so issued shall be numbered and a proper registry thereof shall be kept by the district clerk. *Provided*, that the total amount of bonds for the purposes named in this section, including bonds theretofore issued for such purposes, and not redeemed, shall not exceed at any one time the sum equal to three per centum of the taxable valuation of the real and personal property in such district. Such bonds may be sold at public or private sale for the best obtainable price, but not less than par.

Time.

Rate.

Details of issue.

Proviso.

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

Repealer.

Approved March 28, 1912.

CHAPTER 260.

An Act to amend an act entitled "An act concerning evidence (Revision of 1900), approved March twenty-third, one thousand nine hundred."

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

1. Section twenty-seven of the act entitled "An act concerning evidence (Revision of 1900), approved March twenty-third, one thousand nine hundred, be and the same is hereby amended to read as follows:

Section 27 amended.

Public records of foreign states, etc., in evidence.

27. Any public record of any foreign state or territory, province, county or city, or of any court therein, or any copy thereof, which is admissible in such state, territory, province, county or city, or in any court therein, to prove the facts therein contained, or any duly certified public record of any department of the United States Government or of any Federal court which is admissible in any Federal court or by virtue of any Federal statute to prove the facts therein contained, shall be admitted in evidence in the courts of this State, and shall be evidence of the facts therein contained, to the same extent as though the original paper or papers, of which the record thereof is a copy, had been produced and proved; *provided,* that whenever a copy of such record, other than a duly certified copy of any public record of any department of the United States Government or of any Federal court, shall be offered in evidence, the same shall not be admitted, unless the same shall have been first exemplified according to the acts of Congress of the United States.

Proviso.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 261.

An Act to authorize Orphans' Courts in this State to approve and confirm, in their discretion, an exchange or purchase of lands by executors, trustees and administrators, with the will annexed.

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

Sale or exchange of lands by executor, etc.

1. Whenever it shall hereafter appear to the Orphans' Court of any county in this State where the lands are located, after due consideration of the facts and circumstances of the case, that it will be to the advantage of the estate or estates referred to in the verified petition of any executor, trustee or administrator with the

will annexed having power to sell lands, with or without the approval of said Orphans' Court that the lands in such petition referred to and described be disposed of by an exchange for other lands, or acquired by purchase or in exchange for other lands, by such executor, trustee or administrator with the will annexed, according to the terms and conditions set forth and submitted in and by such petition, said Orphans' Court shall have power, in its discretion, to make an order approving and confirming such exchange or purchase, as the case may be, as made by such executor, trustee or administrator with the will annexed, and directing the conveyance of said lands accordingly.

Order of court.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 262.

A Further Supplement to an act entitled "An act for the appointment of commissioners for the better protection of the fishing interests of the State of New Jersey," approved March seventeenth, eighteen hundred and seventy, approved May fourth, eighteen hundred and ninety-seven.

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

1. The Board of Fish and Game Commissioners of this State is hereby authorized and required to fix the annual allowance for expenses of each of the fish and game wardens, exclusive of the protector and the assistant protector, and may at any meeting for any good cause appearing to the board alter such allowance, provided the aggregate of such allowances shall not exceed the total amount of wardens' expenses authorized by law.

Allowance for warden's expenses.

2. This act shall take effect immedately.

Approved March 28, 1912.

CHAPTER 263.

An Act to amend, and to repeal, certain parts of an act entitled "An act concerning the action of ejectment" (Revision March twenty-seventh, one thousand eight hundred and seventy-four).

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

Section 6 amended.

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

Testing and serving summons.

6. The summons shall be tested on the day it is issued, and shall be in like form as other writs of summons, and shall be served in the same manner as the writ of summons in any other action; and if such service can not be made, then the summons shall be served in such manner as the court, or a judge thereof, shall direct.

Repealer.

2. Sections five, ten and twelve of the act of which this is an amendment, be and the same are hereby repealed.

Approved March 28, 1912.

CHAPTER 264.

An Act to amend 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:*

Sections amended.

1. The following sections of an act entitled "An act to regulate the practice of courts at law (Revision of

1093)," approved April fourteenth, one thousand nine hundred and three, be and the same are amended as follows:

Section 50 amended.

2. Section fifty is amended to read as follows:

Return made or sheriff amerced.

50. The sheriff or officer to whom any process is directed or delivered for service shall return the same at the time and place therein mentioned, or, if no time or place be mentioned, he shall forthwith serve and return the same. In default of so doing, he may be amerced by the court in any sum not exceeding the plaintiff's debt or demand, to and for the use of the plaintiff. The return of the officer serving any process may, in the same action, be shown to be untrue by either of the parties.

Section 52 amended.

3. Section fifty-two is amended to read as follows:

Summons; how served.

52. The first process in personal actions in cases where the plaintiff is not entitled to bail shall be a summons, a copy whereof shall be served on the defendant in person, or left at his usual place of abode. Said service shall be made forthwith after the process is delivered to the sheriff or other officer for service. If the defendant be a corporation, the summons shall be served as provided in the act entitled "An act concerning corporations (Revision of 1896)," except that the service shall be made in such case forthwith after delivery of the summons to the sheriff. If the defendant be the board of chosen freeholders of any county or municipal corporation, or a township, the summons shall be served on the clerk or presiding officer of said board, or on the clerk of the municipality or township, or on the mayor or presiding officer of the governing body forthwith after it is delivered to the sheriff or other officer for service. And when the sheriff or other officer shall return the same "served", the party shall be considered as in court, and be proceeded against accordingly; *provided,* if the defendant be the board of chosen freeholders of a county or a municipal corporation or a township, the sheriff or other officer shall in his return state on whom the summons was served.

Proviso.

Section 171 amended.

4. Section one hundred and seventy-one is amended to read as follows:

Judgments signed by judge.

171. The record of judgments shall be signed by a judge (or the clerk) of the court as of the day on which such judgments were entered, and judgments signed by a judge in office, though not in office at the time of entering such judgments, shall be as good and effectual in law, as if such judgments had been signed by a judge who was in office at the time of rendering and recording the same.

Approved March 28, 1912.

CHAPTER 265.

An Act to further 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:*

Section 23 amended.

1. Section twenty-three of the act of which this act is an amendment, as the said section was amended by chapter 135 of the laws of 1910, be and the same is hereby further amended to read as follows:

Proceedings to enforce claim.

23. When a claim is filed agreeably to the provisions of this act upon any lien created thereby, the same may be enforced by a suit in the Circuit Court of the county where such building is situated, or in any district court of the county (provided the claim does not exceed five hundred dollars in amount) 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 actions on contract; which suits 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 sale under said claim, in the following or like form:

Form of summons.

The State of New Jersey To (state the names of the defendants). You, A. B. 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), are summoned to answer the annexed complaint of G. H. (the claimant) in an action at law, in the Circuit Court (or District Court of the city of ..... or, of the district of ....., as the case may be) in and for the county of ....., in which said G. H. claims a building lien on certain buildings and lands of said C. D. described in said complaint, and upon which said E. F. holds a mortgage of record. And take notice, that unless you file your answer to said complaint with the clerk of said court at ..... within twenty days after service upon you of this writ and the annexed complaint, the plaintiff may proceed in the suit and judgment may be entered against you.

Serving, etc., of summons.

And the said summons, with the complaint annexed, shall be directed and tested, and may be served and returned in the same manner as other writs of summons in the court from which issued; and said summons and complaint may be served upon the defendants, 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 can not be found in this State, the summons and complaint may be served upon him by affixing a copy thereof upon said buildings, and also by serving a copy of said defendant personally or by leaving a copy of the same at his residence, which shall be deemed actual service, or in case said defendant resides out of this State, by affixing a copy on said building and sending a copy by mail, directed to him at the post-office address nearest his residence; or in case his residence is not known to the plaintiff, then by affixing a copy to said building and by inserting a notice thereof (to be prescribed by order of the court) for four weeks, once in each week, in some newspaper of this State published or circulating in the county where

When defendant not found.

such building is situated, either of which shall be legal service; and when an affidavit shall be made and filed of the facts authorizing and constituting any such service not made by a sheriff or officer, the suit may proceed against the parties so served as if such summons had been returned by the sheriff or other officer.

Approved March 28, 1912.

CHAPTER 266

An Act to create a commission to represent the State of New Jersey at the ninth annual encampment and convention of the United Spanish War Veterans to be held in the city of Atlantic City, New Jersey, September seventh to September fourteenth, one thousand nine hundred and twelve.

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

Commission on Spanish War veteran encampment.

1. The Governor of the State of New Jersey is hereby authorized and empowered and he shall within thirty days after the passage of this act appoint a commission of three persons residents of the State of New Jersey, which commission shall be known as the United Spanish War Veterans Encampment Commission.

Bond of commissioners.

2. Immediately, after appointment the commissioners so appointed by the Governor of the State of New Jersey shall file a bond each separately and individually with two sureties in the sum of ten thousand dollars each for the faithful performance of such duties as may be hereinafter prescribed.

Appropriation.

3. The sum of fifteen thousand dollars is hereby appropriated out of such money in the treasury not otherwise appropriated and this money shall be and is hereby made available to the said commission. All moneys to be disbursed by the State Treasurer upon warrants

drawn upon the Comptroller and approved by the Governor.

4. The said commission shall represent the Governor and the State of New Jersey, at the said encampment to be held at Atlantic City, New Jersey, September seventh to September fourteenth, one thousand nine hundred and twelve, and shall provide for military and other display and entertainment as may seem to them fitting to uphold the dignity and patriotism of the State of New Jersey. Duties.

5. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 267.

An Act to amend an act entitled "An act concerning playgrounds and recreation places in this State, and providing for the establishment, equipment, maintenance, control, use and regulation thereof (Revision of 1911)," approved May first, nineteen hundred and eleven.

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

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

1. In any city, town, township, borough, village or other municipality of this State, the mayor, chairman, president, or other chief executive officer of such municipality may, in his discretion, appoint not less than three nor more than five fit and suitable persons, citizens and residents of such municipality, as commissioners of playgrounds, and who shall constitute and be known as the board of playground commissioners of such municipality. The commissioners first appointed under this act in any municipality shall hold office for the term of one, Playground commissioners. Terms.

two, three, four and five years respectively, according to the number appointed as fixed and designated by the mayor, chairman or other officer in their respective appointments, and after the first appointments such commissioners shall be appointed for the full term of three or five years, according to the number appointed; vacancies shall be filled for the unexpired term only. They shall not receive any salary or other compensation for their services.

Vacancies.

No salary.

Application of act.

The provisions of this act shall apply, and are hereby extended to all appointments of such commissioners heretofore made by any such mayor, chairman, president or other chief executive officer, and the appointment of all such commissioners now acting as such, is hereby ratified and confirmed; *provided, however,* that the provisions of this act shall not apply to any city, town, township, borough, village or other municipality of this State, governed by a supplement to an act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven.

Proviso.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 268.

An Act to amend "An act to authorize cities to acquire certain old burying grounds or cemeteries for park purposes and to provide a method therefor," approved April eleventh, one thousand nine hundred and ten.

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

Section 10 amended.

1. Section ten of an act entitled "An act to authorize cities to acquire certain old burying grounds or cemeteries for park purpose and to provide a method therefor," be and the same is hereby amended to read as follows:

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, or in case any lot or plots in any such cemetery have been conveyed to any person or persons, corporation or corporations, and such city is unable to acquire such lots or plots by purchase, either through inability of the officers of such city to ascertain the names and residence of the owners thereof or through the inability of the city to agree with such owners as to the value of any such lots or plots, any such city, either before or after taking possession of such burying ground or cemetery, may apply to the Circuit Court of the county wherein such municipality is located for the appointment of three commissioners to appraise the value of 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.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 269.

A Supplement to an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight.

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

Employes of federal government may register by affidavit.

1. Any male person who has attained the age of twenty-one years and has a legal residence in the State of

New Jersey State Library

New Jersey, but is now, or hereafter may be, living out of the State, in the employ of the United States Government, and who has the right to and desires to exercise the right of franchise, shall have the right to be registered by affidavit for any primary and general, State or municipal election, in the city, borough, town or township, wherein he has a legal residence, provided such affidavit shall properly answer the same questions required to be answered in the case of personal registration. Election officers shall accept such affidavit, if received by mail or by proxy, prior to or on the day of the last registration for any such election, and place the said person's name on the registry list, provided, it is accompanied by a certificate from the department or bureau where such person is employed, certifying that the applicant for the right of franchise, is a legal resident of the State of New Jersey, and is credited to this State on the records of the office where employed.

2. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 270.

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:*

Capacity of gun.

1. It shall be unlawful to use, in hunting fowl or animals of any kind, any shot gun or rifle holding more than two cartridges at one time, or that may be fired more than twice without reloading.

2. Any person violating any of the provisions of this act shall be liable to a penalty of twenty dollars for each offense; said penalty to be recovered in the manner provided 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, and the acts amendatory thereof and supplementary thereto. Penalty.

3. This act shall take effect immediately.

Approved March 28, 1912.

CHAPTER 271.

An Act to authorize cities in this State to provide by ordinance for the regulation and inspection of electrical wires, appliances and currents for furnishing light, heat and power in certain cases, and to fix the penalty for the failure to comply with the provisions of such ordinance, and to make it unlawful, when an ordinance for such regulation is passed by any city in this State, for insurance companies, and those engaged in furnishing electricity for light, heat or power purposes, to charge for inspection covered by such ordinance.

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

1. It shall be lawful for the governing body of any city in this State to provide, by ordinance, for the regulation and inspection of wires, conductors and appliances for the purpose of utilizing electrical energy for light, heat and power when introduced or placed in any building in such city; *provided, however,* that such regulation and inspection shall not be inconsistent with the current issue of the National Electrical Code and the rules and regulations for wiring of the corporation, firm Regulate use of electricity. Proviso.

Approval of wiring.

or individual by which the electrical energy is to be supplied, or the existing standards of the Board of Public Utility Commissioners. After the passage of such ordinance no person, firm or corporation, shall put in use any electrical wires, appliances and currents, for the purposes aforesaid, which shall not have been inspected and approved by the inspector of such city appointed for such purpose. The inspector shall furnish a certificate of inspection to any person, firm or corporation, applying therefor. Such proposed ordinance shall prescribe the method of location, arrangement, installation and use of such wires and appliances, and shall fix the powers and duties of the inspector thereof, as the said body shall from time to time deem necessary for the protection of life and property, and fix a fee or fees for each inspection not exceeding ten dollars ($10.00).

Ordinance regulating wires, etc.

Inspection fee.

Inspectors.

2. The governing body of any city in this State, providing by ordinance for the inspection of electrical wires, appliances and currents for furnishing light, heat and power, pursuant to the preceding section, shall appoint and fix the compensation of an inspector, or inspectors, as the need may be, of electrical wiring, who shall have a practical and technical knowledge of the construction and operation of interior electrical wiring and appliances.

Electrical companies not to refuse to supply current.

3. Upon the passage of any such ordinance as contemplated in the preceding sections of this act, it shall be unlawful for any persons, real or artificial, engaged in the business of furnishing electricity for light, heat or power purposes, to refuse to supply electrical current for such purposes upon the production of a written certificate of the inspector of electrical wires and appliances approving the construction thereof in any building, or to exact or charge any fee, or charge for the inspection covered by said inspector as a condition to supplying such electrical current for furnishing light, heat or power; nor shall any insurance company, or agent thereof, from and after the passage of an ordinance by the governing body of any city in this State pursuant to the preceding sections of this act, exact or charge any fee or charge for the inspection covered by said inspector as a condition to insuring any building

As to insurance companies accepting certificate of inspection.

or buildings in which such electrical wires, appliances and currents are introduced or placed; *provided,* that no corporation, firm or individual supplying electrical energy shall be compelled to extend its lines or wires more than two hundred and fifty (250) feet to connect such building unlesss the Board of Public Utility Commissioners shall after hearing order such extension; *and provided further,* that no such corporation, firm or individual shall be obliged to supply service to any person, persons or corporations at the time indebted to the corporation, firm or individual from which such service connection is sought. The foregoing provisions shall be enforced by the Public Utility Commission and the Department of Banking and Insurance, respectively; *provided, however,* that this act shall not apply to or effect any city in this State which is or may hereafter be acting under the provisions of 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.

Proviso.

Proviso.

Enforcement.

Proviso.

4. All acts or parts of acts inconsistent with this act are hereby repealed.

Repealer.

Approved March 29, 1912.

CHAPTER 272.

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

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

Appointments validated.

1. All appointments of members of boards of education made under the provisions of an act entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved April twenty-seventh, one thousand nine hundred and eleven, are hereby validated and confirmed.

2. This act shall take effect immediately.

Approved March 29, 1912.

CHAPTER 273.

An Act to authorize any two or more municipalities in this State to jointly provide, maintain and operate a garbage disposal plant or incinerator or system of garbage disposal and to otherwise act jointly concerning the collection, removal, disposal and treatment of garbage and to make contracts in relation thereto.

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

Joint municipal garbage disposal plant.

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 garbage treatment and disposal or a system of collecting, removing, treating and disposing of garbage from said several municipalities and to construct, maintain, and operate within any one or more of the said municipalities one or more plants, incinerators, works and stations for the treatment, disposal or destruction of garbage; and to that end

Maps, plans, estimates prepared.

2. The governing bodies or boards of any two or more municipalities in this State, authorized by law to take charge of the collection and removal of garbage 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 employees, to enter at all times upon any lands or waters for the purpose of surveying and laying out the location of any garbage disposal plant or plants and appurtenances, 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 work, and also an estimate of the annual cost of maintenance, repairs, operation and supervision of such proposed improvement or works after the completion of such improvement or works; the clerk 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 garbage collection and disposal, 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

Right of entry to make surveys.

Surveys, maps, etc., delivered to municipal clerks.

Estimate of maintenance.

Information submitted for consideration.

If rejected.

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 respectively 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, of a joint contract or contracts in writing upon such terms and conditions 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 buildings, plants or equipment or the acquisition of any necessary carts, wagons and other tools and the necessary horses and other traction appliances for the collecting of

If approved.

All papers filed.

Municipalities may enter into joint contracts for the purposes herein set forth.

garbage of such contracting or associated municipalities, 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 garbage disposal plant or plants to the use of which each municipality shall be entitled; also the percentage of the total cost, damages and expense 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.

What ordinance to describe.

Percentage of cost, etc., to be borne by each.

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 garbage collection or garbage disposal plants 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, as permanent chairman of such joint meeting; said joint meeting, shall, immediately after selecting a permanent chairman, and at the

Joint meeting of boards.

Organization.

Chairman; other officers.

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, 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 ordinances adopted as aforesaid are directed to pay twenty-five per centum (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 em-

Compensation.

Voting power.

Quorum.

Concurrence of municipal boards necessary.

Percentage to be paid.

Rules.

ployed 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 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

Proceedings had jointly.

In raising money, separate action.

All joint actions binding.

Offices.

Oath.

Bond.

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.

Acquire lands, rights, etc.

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 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

All proceedings in joint corporate names.

Approval of contracts, bills, etc.

Bookkeeping.

Monthly statements; what to show.

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.

Prompt payments.

System of treatment and transportation.

5. It shall be lawful for the municipalities jointly contracting as herein provided, after the making of a contract pursuant to ordinance herein authorized to jointly provide a system of garbage treatment and disposal and a system of transporting garbage and refuse from said several municipalities from a point or points to be agreed upon to a common destination or disposal plant or plants and to jointly provide a garbage and refuse disposal and treatment 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 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.

Extension of contracts and use of disposal plants.

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 other municipality or municipalities for the use of such garbage and refuse disposal plant or plants in such a manner as may be agreed upon between such other municipality and the municipalities theretofore jointly contracting as herein authorized; or such jointly contracting municipality or municipalities may contract in writing with any other municipality or municipalities for the privilege of transporting its and their garbage and refuse to such disposal plant or plants and have the same there destroyed or otherwise treated; 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.

Action by resolution and not by ordinance.

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.

Notice of intention given by clerk.

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 municipality, 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

Description.

Objections requested.

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.

Acquisition of property.

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

Land acquired by condemnation.

10. If in any case the said contracting municipalities shall be unable to agree with the owner or owners of any 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 lands or real estate so deemed necessary for the purposes aforesaid may be acquired by the said contracting municipalities in their joint meeting 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.

Joint meeting to fix costs, damages, etc.

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.

Temporary obligations.

12. For the purpose of defraying the cost and expense of such public improvement as is authorized hereby, 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 of such municipality may be renewed from time to time until such improvement or works be completed; thereafter when deemed advisable such governing body or board in order to provide for the payment of such notes and obligations shall issue bonds of such municipality for the amount thereof, which bonds may be registered or coupon bonds, payable in the manner hereinafter provided and may mature in such time or times not exceeding thirty years as the governing body or board shall determine.

Bond issue.

Sinking fund.

13. 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 by making an annual appropriation, to be raised by tax annually, or an amount which calculated at compound interest at three and one-half 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 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 this 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. Time of bonds.

14. 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 said 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 governing 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. Rate. Amount. Details of issue.

15. 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, and also the principal of such bonds as may mature during the then ensuing fiscal year. Provision for interest and redemption.

16. It shall be lawful for 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 Expenses may be met by taxation.

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.

Work done by contract.

17. 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 the usual place of meeting to receive

Proposals.

proposals, in writing, for doing the work or furnishing 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

May re-advertise.

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 reservation herein provided; the proposal so accepted shall be reduced to a

Proposal basis of contract.

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 bid-

der 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.

Certiorari.

18. 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.

Adjacent land owners may have action in tort.

19. The owner of any land adjacent to any plant, works or stations for the treatment, disposal or destruction of garbage and refuse, 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 contracting municipalities, or any of them, in the establishment and maintenance of any such plant, works or stations for the treatment, disposal or destruction of garbage 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.

Definition.

20. 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.

21. 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 March 29, 1912.

CHAPTER 274.

An Act to amend an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries, and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards," approved March twenty-sixth, one thousand nine hundred and two, the title to which act was amended to read as above set forth by an act approved April twentieth, one thousand nine hundred and nine, by excepting counties of this State having a population between one hundred and twenty-five thousand and one hundred and forty-one thousand according to the census of one thousand nine hundred and ten from the provisions of the act requiring a referendum.

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

Section 7 amended.

1. Section seven of an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries, and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards," approved March twenty-sixth, one thousand nine hundred and two, and the title to which act was amended to read as above set forth by an act approved April twentieth, one thousand nine hundred and nine, be and the same hereby is amended so as to read as follows:

Repealer.

7. All acts and parts of acts, both general and special, inconsistent with this act, be and the same are hereby repealed; *provided, however,* that none of the foregoing provisions shall take effect in any county, except as here-

Proviso.

inafter set forth, until the same shall have been adopted by vote of the legal voters of such county. The adoption of this act shall be submitted to vote in any county at any election for members of the General Assembly hereafter to be held, when a petition therefor, signed by at least five per centum of the qualified electors of such county, as evidenced by the total number of votes cast at the then next preceding election for members of the General Assembly in such county, shall have been filed with the clerk of said county, of which submission the same notice shall be given as is required to be given of said general election, and the legal voters of said county may, at such election, decide upon the acceptance or rejection of this act in the following manner: there shall be printed on each official ballot, containing the names of candidates for members of the General Assembly, next under the party heading, the proposition, "For the law reducing the number of freeholders," and immediately thereunder the proposition, "Against the law reducing the number of freeholders," and the voter may vote to adopt this act by obliterating the second proposition or may vote to reject this act by obliterating the first proposition; and said ballots so cast for or against this act shall be counted and the result thereof returned by the election officers and a canvass of such election had in the same manner and at the same time as in case of ballots for candidates voted for at such election, and the acceptance or rejection of this act so determined, shall be declared in the same manner as the general result of said election for county officers; and if there should be a majority of votes so cast in favor of the adoption of this act, but not otherwise, this act shall take effect in such county immediately; *and provided, further,* that the referendum in this section shall not apply to counties of the State having a population of between one hundred and twenty-five thousand and one hundred and forty-one thousand according to the census of one thousand nine hundred and ten, and in the counties of the State having such a population this act shall apply and take effect immediately and the election provided for in section one of this act shall be held as directed therein.

Referendum.

Petition.

Question submitted.

Result canvassed.

Proviso.

Approved April 1, 1912.

CHAPTER 275.

An Act to amend an act entitled "An act directing the descent of real estates, approved April sixteenth, one thousand eight hundred and forty-six," and the amendments thereof and the supplements thereto.

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 directing the descent of real estates," be amended so as to read as follows:

Property goes to mother under certain conditions.

4. When any person shall die seized of any lands, tenements, hereditaments, in his or her own right in fee simple, without devising the same in due form of law, and without leaving lawful issue, and without leaving a brother or sister of the whole blood or any lawful issue of any such brother or sister, and without leaving a father, then the inheritance, except as hereinafter provided, shall go to the mother for life; and after her death, the same shall go and descend as provided for in the said act, to which this act is an amendment, in case the person so dying seized shall die without leaving a mother capable of inheriting the same; *provided, however,* that when any person has heretofore died, or shall hereafter die so seized of any lands, tenements or hereditaments, as aforesaid without devising the same in due form of law, and without leaving any person enumerated in section fourteen of the said act, to which this is an amendment, capable of inheriting said lands, tenements and hereditaments, except a mother, and not leaving a wife or husband, the same shall descend and go to said mother in fee simple; *and provided, further,* that nothing herein contained shall be operative or have any effect in any case or cases wherein any proceedings have been had or taken or are now pending on behalf of the State under and by virtue of the law now existing

Proviso.

Proviso.

to escheat said lands, nor shall this act affect or in anywise impair any title to any land heretofore obtained under and by virtue of any proceedings heretofore had and taken in pursuance of law.

Approved April 1, 1912.

CHAPTER 276.

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, nineteen hundred and eight.

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

1. Section thirty-one of the act to which this act is amendatory is hereby amended to read as follows: Section 31 amended.

31. Whenever there shall be presented to the clerk of the governing body of any municipality of this State a petition signed, in counties and cities of the first and second class, by at least five hundred legal voters in said counties or cities respectively, and in counties and cities of the third class by at least two hundred and fifty legal voters of said counties or cities respectively, and in all other municipalities by at least five per centum of the legal voters therein, requesting that the question of the adoption of the provisions of this act be submitted to the legal voters of said municipality, it shall be the duty of said clerk, within five days after the receipt of said petition, to call a special meeting of said governing body to act upon the said petition, such meeting to be held within fourteen days after the date of the receipt of the said petition by the said clerk. At such special Method of adoption in cities and counties. Referendum. Special meeting.

meeting the said governing body shall consider the said petition, and if found in due form, shall immediately certify the same to the clerk of such municipality, directing him to follow the procedure necessary to have the question contained in the said petition submitted to the legal voters of the said municipality at the next regular election. Public notice thereof shall be given by said governing body by publication in one or more newspapers published and circulated in the said municipality. Or if there be no newspapers published in the said municipality, then in one or more newspapers published in the county in which such municipality is located, to be designated by said governing body, once a week for at least four weeks, and by posting such notice in five of the most public places in said municipality for at least four weeks before said election.

Notice.

Ballots.

At any election at which the question of the adoption of the provisions of this act shall be submitted to the voters of any municipality, there shall be printed upon the official ballot for such municipality, the word "for" and the word "against" above and immediately preceding the words "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."

Canvass; returns.

If the word "for" be marked off or defaced upon the ballot it shall be counted as a vote against the acceptance of this act; if the word "against" be marked off or defaced upon the ballot, it shall be counted as a vote in favor of the acceptance 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 as a vote either for or against such acceptance. A canvass and return of the votes upon the question of the acceptance of this act shall be made by the election officers in the same way and manner as for officers voted at such election, and if a majority of the votes cast for and against the acceptance of this act shall be found to be in favor of its acceptance it shall then, but not otherwise, become operative in such munici-

pality. The adoption of the ordinance provided for in section thirty-one of this act, or the result of said election, if favorable to the adoption of this act, as the case may be, shall be certified by the governing body or the municipality to the commission created by this act. The question of the adoption of this act shall not be submitted to the voters of any municipality oftener than once in two years. Adoption certified to commission.

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

Approved April 1, 1912.

CHAPTER 277.

An Act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and licensing 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 service thereof and proceedings for the violation of the provisions of the act and penalties for said violation," approved April twelfth, one thousand nine hundred and six.

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

1. Section thirty-five of the act to which this act is an amendment is hereby amended to read as follows: Section 35 amended.

35. Any person who shall be convicted of violating the provisions of sections fifteen and twenty-one of this act shall be subject to a fine not exceeding one hundred dollars; in default of the payment of such fine there shall be imposed an imprisonment in the county jail for a period not exceeding ten days; provided, that any offender, who shall be convicted of a second offense of Penalties. Proviso.

the same violation may be fined in double the amount herein prescribed for the first offense, and may in default of the payment thereof, be punished by imprisonment in the county jail for a period not exceeding twenty days; *provided, further,* that the penalties above prescribed shall not apply to the display of a fictitious number.

Proviso.

Displaying fictitious number.

Any person convicted of displaying a fictitious number as prohibited by section fifteen, or of violating the provisions of sections seventeen, nineteen or twenty of this act, shall be subject to a fine not exceeding five hundred dollars, or to imprisonment in the county jail for a period not exceeding sixty days.

Penalty.

Accidents

Any person who shall be convicted of a violation of subdivision four of section twenty-two of this act, shall be subject to a fine not exceeding two hundred and fifty dollars, or to imprisonment in the county jail for a period not exceeding thirty days.

Penalty.

Violating section 16.

Any person who shall be convicted of a violation of section sixteen of this act shall be subject to a fine not exceeding one hundred dollars.

Overspeeding

Any person who shall be convicted of a violation of subdivision three of section twenty-two, or of section twenty-three of this act, shall for the first offense be subject to a fine not exceeding one hundred dollars; in default of the payment of such fine there shall be imposed an imprisonment in the county jail for a period not exceeding ten days; *provided,* that any offender who shall be convicted of a second or any subsequent offense of the same violation may be fined in double the amount herein prescribed for the first offense, or imprisonment in the county jail for a period not exceeding twenty days, and in addition to such penalties the license of said offender shall be revoked; *provided further,* that nothing herein contained shall prevent a revocation of license for the first offense, or for the violation of any provision of this act.

Penalty.

Proviso.

Proviso.

Other penalties.

Any person who shall be convicted of violating any of the following named provisions of this act shall be subject to the penalties herein specified:

Horn; lamps.

Of sections three, four or eighteen, a fine not exceeding ten dollars.

Of sections six or seven, a fine not exceeding fifty dollars. Chain tires; mufflers.

Of subdivision one of section twenty-two a fine not exceeding twenty-five dollars. Right of road.

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 1, 1912.

CHAPTER 278.

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, approved April twenty-seventh, one thousand nine hundred and eleven.

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

1. It shall be unlawful to capture, kill, injure, destroy or have in possession in any one day more than ten quail, three English or ring neck pheasants, three Hungarian partridge, ten woodcock, three ruffed grouse, twenty duck, ten geese, ten brant or ten rabbits, under a penalty of twenty dollars for each bird or rabbit captured, killed, injured, destroyed or had in possession in excess of the number permitted by this section, *provided,* that nothing in this section contained shall apply to any proprietor of a hotel, restaurant or cafe having in possession at his or her hotel, restaurant or cafe any of the fowl enumerated in this section or to any dealer in game or fowl having any of the fowl enumerated in this section at his or her place of business during the open season provided for by law. Maximum number of game allowable. Penalty. Proviso.

Enforcement of act.

2. This act shall be enforced in accordance with the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, eighteen hundred and ninety-seven, and the amendments thereof and supplements thereto.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 279.

An Act to amend an act entitled "An act providing for the construction of sewers and sewer systems in cities of this State and the issuance of bonds for the cost thereof, and providing for collecting rentals for the use of such sewers and sewer systems," passed October eleventh, one thousand nine hundred and seven, so that the title of said act shall read as follows: "An act providing for the construction of sewers and sewer systems in cities of this State and the issuance of bonds for the cost thereof, and to provide by tax, or rentals, 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:*

Title amended.

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

New title.

"An act providing for the construction of sewers and sewer systems in cities of this State and the issuance of bonds for the cost thereof, and to provide by tax or rentals, for the payment of the principal of and interest on said bonds."

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 280.

An Act to prohibit and prevent the use of the Hungarian coat-of-arms.

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

1. It shall hereafter be unlawful for any steamship ticket agent, or any employment agent, or foreign banker or money exchange broker, or money forwarder, or foreign attorney or notary public, or commissioner of deeds to use the coat-of-arms of the Kingdom of Hungary in carrying on or procuring their business or vocation. Use of Hungarian coat-of arms in business unlawful.

2. Any person or persons violating the provisions of this act shall be guilty of a misdemeanor. Penalty.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 281.

An Act authorizing the board of chosen freeholders of the counties of this State, to light with electric lights public highways constructed in part by the State.

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

1. It shall be lawful for the board of chosen freeholders of the counties of this State to light with electric lights any public highway which has, or hereafter shall be constructed in part by the State; *provided, however,* that no contract for lighting shall be made for a longer period than five years, or without first having advertised for bids for at least two weeks in three or more newspapers published and circulating in said county. Lighting roads. Proviso.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 282.

An Act defining the measurement of baskets in which fruit, vegetables and the like are sold by half of a bushel.

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

Minimum size of vegetable baskets.

1. Hereafter it shall be unlawful for any person or corporation in this State to sell any fruit, vegetables and the like by the basket, which basket shall contain less than half of a bushel.

Penalty.

2. Any person or corporation violating any of the provisions of this act shall be liable to a penalty of twenty-five dollars for each offense, to be recovered in an action of debt by the Board of Health of the State of New Jersey, in the name of the State; *provided, however,* nothing in this act shall prevent the selling of a larger or smaller measure than that denominated in this act.

Proviso.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 283.

A Supplement to an act entitled "An act relative to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1908)", approved April fourteenth, one thousand nine hundred and eight.

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

County detectives.

1. The prosecutor of the pleas in the several counties of this State having a population of more than fifty

thousand and not more than eighty thousand inhabitants, may appoint suitable persons, not exceeding two, in any county to act as special officers, for the detection, arrest, indictment and conviction of offenders against the law; said appointments to be approved by the judge of the General Quarter Sessions court in respective counties of this State. Such persons so appointed shall possess all the powers and rights of and be subject to all the obligations of constables and police officers in any county of this State, in criminal matters only, and each shall receive an annual salary not exceeding fifteen hundred dollars, to be paid by the county collector in equal monthly installments out of the funds of the county, the salary to be fixed and the expenses of such officer to be approved by the prosecutor of the pleas and the judge of the General Quarter Sessions court of each county and be paid by the county collector out of the funds of the county.

Powers and rights.

Salary.

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 1, 1912.

CHAPTER 284.

An Act to amend 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, by giving the power of arrest to policemen for violation of city ordinances without warrant or process.

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

1. Section eighty-one of 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,

Section 81 amended.

one thousand eight hundred and ninety-seven, is hereby amended to read as follows:

Who may serve process.

81. The officers empowered to serve any process issued by any police justice or mayor shall be, besides the constables elected or appointed in such city, the officers or members of the police force of such city, and

How returned.

such process shall be returned in the same manner, as far as circumstances shall permit, as similar processes shall be out of the courts for the trial of small causes or before a justice of the peace; and that such defendant or defendants shall, if such police justice or mayor shall see fit to adjourn the hearing of the cause, and so order,

Recognizance may be given.

enter into recognizance as near as may be in the same manner as directed in courts for the trial of small causes or before a justice of the peace, in such sum and with such security as may be approved by such justice or mayor, such recognizance to be given to such city for the appearance of the said defendant or defendants on the day to which the said hearing may be adjourned;

Default of appearance.

and in default of appearance the said recognizance may then be collected in the same manner as it might have been had the said recognizance been taken in a proceeding in a court for the trial of small causes, or before a justice of the peace; if a commitment shall be issued in any case when the defendant is not in custody, it shall be lawful for such defendant to be taken in custody under such commitment in the same manner as under a warrant, and to be delivered to the keeper of the city or county jail as directed by such commitment;

Police to exercise power of constable.

and the policemen of such city shall, in addition to the authority conferred upon them by the ordinances of such city, possess and have all the powers of constables within such city, for the purpose of preserving the peace and enforcing the ordinances of such city, and it shall be the duty of the said policemen, on witnessing any breach of the peace or violation of any of the city ordinances or laws of the State, to forthwith arrest such offender without warrant or process, and take such offender or offenders immediately before the police justice or mayor for a hearing.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 285.

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 185 amended.

1. Amend section one hundred and eighty-five of the act to which this is an amendment, so that it shall read as follows:

Municipal custodian of school moneys.

185. The person designated by law as the custodian of the moneys belonging to the municipality in which the school district shall be situate, or the collector, when designated by such board of education, shall be the custodian of the school moneys of such district, and shall receive such compensation as the board of education of such municipality shall determine which compensation shall be paid by said board of education from the funds of said board and the bonds given by said collector or other person for the faithful performance of his duty as such officer, shall be held to cover and secure the faithful performance of his duty as custodian of school moneys, and the bondsmen thereon shall be liable therefor; in case the term of office of any such collector or other person shall expire before the close of the school year, he shall remain and continue to be the custodian of school moneys until the close of the then current school year, and his bondsmen shall remain and be legally bound for the faithful performance of his duties as such custodian until the final settlement of his accounts; nothing in this article shall be construed as giving to the township committee, common council or other governing body of any municipality any control

Continuance in office.

over moneys belonging to the school district in the hands of the custodian of the school moneys of said district, but said money shall be held by such custodian in trust, and shall be paid out by him only on orders legally issued and signed by the president and district clerk or secretary of the board of education; any ordinance, by-law or resolution of a township committee, common council or other governing body of any municipality attempting to control such moneys, or which shall in any way prevent the custodian of the school moneys of the school district from paying the orders of the board of education as and when they shall be presented for payment shall be absolutely void and of no effect; whenever any school district shall contain more than one municipality the board of education may appoint a suitable person as custodian of school moneys of said district, and may fix his salary and term of office. Such custodian shall, when requested to do so at any time by the board, render to said board a true and full account of all moneys in his possession, as such custodian up to such time, and of all payments made by him out of said moneys and for what purpose, and shall also, when required by resolution of said board, deposit in any bank or banking institution designated by said board, all moneys then in his hands or thereafter collected or received by him as such custodian; he shall give bonds for the faithful discharge of his duties in such amount and with such sureties as said board shall direct, but such bonds shall be for a sum not less than the amount apportioned to said district by the county superintendent of schools; until the appointment of a custodian of school moneys by the board of education, the collector or other person residing in the municipality situate in such school district having the largest amount of taxable property shall be custodian of the school moneys of such district.

Moneys held in trust.

Custodian to render accountings.

His bond.

Approved April 1, 1912.

CHAPTER 286.

An Act to prohibit the distribution and sale and to regulate the use of foods, drugs and certain other mixtures and preparations, intended for use by man or animal, containing methyl or wood alcohol.

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

Sale of wood alcohol.

1. No person shall sell, or offer or expose for sale, or have in his possession with intent to distribute or sell any food, drug, preparation or mixture of any kind whatsoever, intended for internal use, which contains methyl or wood alcohol: nor shall any person sell, or offer or expose for sale, or have in his possession with intent to distribute or sell, or use upon or apply to the body of another, any drug, hair tonic, bay rum or similar preparation, intended for external use, which contains methyl or wood alcohol, *provided, however,* that nothing in this section shall apply to veterinary remedies containing methyl or wood alcohol when such remedies are plainly and distinctly labeled in such a manner as to indicate that they are intended solely for external use on animals.

Proviso.

Penalties.

2. Any person who shall violate any of the provisions of this act shall be liable to a penalty of one hundred dollars for the first offense, and to a penalty of two hundred dollars for the second offense, and to a penalty of three hundred dollars for the third and each subsequent offenses.

Recovery of penalties.

3. Any and all penalties prescribed by section two 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, or by and in the name of any board of health of any municipality of this State, as the case may be, as plaintiff. The pleadings shall conform in all respects to the practice prevailing in the court in which

Pleadings.

any such action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same contain a statement of the nature of the alleged violation and of the section of this act alleged to have been violated, and upon the attention of the court being called to any such formal or technical defect the same shall be immediately corrected and the said pleading or process amended as a matter of course, and as to all other defects in pleadings or process, the same may be amended, in the discretion of the court, as in any other action or proceeding in said court.

Issue of execution.

4. 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 for that purpose 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 keeper of the common jail of said county, there to be detained until discharged by the court in which such 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 the goods and chattels of such body corporate as in other actions of debt.

If goods insufficient body to be taken.

Disposition of penalty.

5. Any penalty recovered in any action brought under the provisions of this act shall be paid to the plaintiff therein. When such plaintiff is the State Board of Health, such penalty shall be paid by such board into the treasury of this State. When such plaintiff is a local board of health, such penalty shall be paid by such local board into the treasury of the township, city, borough, town or other local municipal government within which such local board has jurisdiction.

6. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 287.

A Supplement to an act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven.

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

Use of fees received from water rents.

1. That the fees, rents or charges received from the sale of water and the operation of the water works in any city in this State adopting the provisions of an act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs, and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven.

(1) To the payment of all cost and expense of operation, management, maintenance and repairs of said works, and such deferred maintenance as the board having charge of the water supply of such city shall deem proper; (2) to the payment of the annual interest on bonds or other obligations issued for the improvement and extension of such water works, and the payment of such part of the principal of said bonds or obligations as may be necessary to meet them at maturity; (3) and the excess revenue remaining at the end of each fiscal year may be appropriated by the board or body of such city having charge of the finances for any purpose for which such board or body is authorized by law to levy and collect a tax.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 288.

An Act to amend an act entitled "An act to amend an act entitled 'An act concerning minors, their adoption, custody and maintenance' (Revision of 1902), approved April sixth, one thousand nine hundred and six.

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

Section 15 amended.

1. Section fifteen of said act be and the same is hereby amended so as to read as follows:

Order of court to present child.

15. Upon presentation of said petition an order shall issue addressed to the parents or parent or other person in whose care or custody said child may be, and also to the said child, requiring their appearance at such time and place as shall be designated in the order, to answer said petition and to abide the order of the court; said

Serving order.

order shall be served in such manner, whether by personal service, mailing, publication or otherwise, as in said order shall be directed, and said order may further direct that a copy thereof be served upon any other person named therein; at the time and place so ap-

Hearing.

pointed, or to which the hearing may be adjourned, and upon proof of due and legal service of said order in the manner therein directed, which proof may be by affidavit of the person serving the same, a summary examination shall take place before the said Chancellor, or Supreme Court Justice, or judge of the Common Pleas, and thereupon, upon proof of the material facts set forth in said petition to the satisfaction of the said Chancellor, or Justice, or judge of the Court of Com-

Future care of child.

mon Pleas, an order shall be made committing the said child to the care and custody of such person who will accept the same, as the Chancellor, or Supreme Court, or judge of the Court of Common Pleas shall for that

purpose designate and appoint, or the further order of the court; said order shall briefly set forth the grounds of granting the same, and need not set forth the evidence nor the substance thereof; and said order may, in the discretion of the Chancellor, or Justice, or judge of the Court of Common Pleas granting the same, require the giving of a bond by the person to whose care or custody the said child may be committed, with such security and on such condition or conditions as the said Chancellor, or Justice, or judge of the Court of Common Pleas shall deem proper.

Bond.

2. Section sixteen of said act be and the same is hereby amended so as to read as follows:

Section 16 amended.

16. The Chancellor, or Justice, or judge of the Court of Common Pleas before whom such proceedings shall be conducted, may, in lieu of committing such child, as in the last preceding section specified, commit such child to the care and custody of any society duly incorporated under the laws of this State for the care of children. In such case the court may, in its discretion, cause the person in whose custody the said child was, or the county in which the said child resides, to pay all costs and expenses of such proceedings, and the said person or society or institution to whom or to which the said child is committeed may give his, her or its consent, and such consent will be sufficient, to the legal adoption of said child according to the provisions of section one of the act to which this is an amendment; and all proceedings heretofore taken under the act to which this is an amendment shall be valid, the same as if this amendment were originally in said act.

Child may be committed to child's aid society.

As to costs.

Adoption of child.

Approved April 1, 1912.

CHAPTER 289.

An Act to amend 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.

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

Section 45 amended.

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

Right to condemn and destroy food.

45. Whenever any member of the State Board of Health; or any chemist, inspector or other employee of said board shall find any meat, milk, fish, bird, fowl, vegetable or other food of a perishable nature exposed or offered for sale, or had in possession with intent to sell, in violation of any of the provisions of this act, or in a state of rottenness or putrefaction, or in any condition which renders it in his opinion unwholesome or unfit for use for human food, he shall condemn the same and cause it to be destroyed or disposed of in such a manner as to make it impossible to be thereafter used for human food. Any article of food or drug that is offered or exposed for sale, or had in possession with intent to distribute or sell, or is intended for sale or distribution in violation of any of the provisions of this act, or in any condition which renders it unwholesome or unfit for use as food, whether such article is in the custody of a common carrier or of any other person or corporation, such article not being in transit from one State to another, may be proceeded against in the Circuit Court or Court of Common Pleas, or District Court having jurisdiction in the county in which

Proceedings against unwholesome food.

such food is exposed or offered for sale or had in possession or in custody, as aforesaid, or before any judge of any such court or before any justice of the peace in any such county and seized for condemnation and confiscation, and authority and jurisdiction are hereby vested in the several courts above mentioned and in the judges thereof in vacation and in the several justices of the peace to issue the warrant and to hear and determine in a summary manner the proceedings herein provided for. Such proceedings shall be by complaint, verified by affidavit, which may be made on information and belief, and in the name of the Board of Health of the State of New Jersey against the article or articles proceeded against, particularly describing the same, the place where they are located, the name of the person, firm or corporation in whose possession or custody they are found, if such name is known to the person making such complaint or can be ascertained by reasonable effort, and the respect in which such articles are adulterated or misbranded or the characteristics of the said articles which render the sale thereof illegal. Upon the filing of such complaint, verified as aforesaid, said court, judge or justice of the peace shall issue a warrant directed to the sheriff or to any constable of the county commanding such officer to seize and take in his possession the article or articles described in the complaint and bring the same before the court, judge, or justice of the peace who issued the warrant and to summon the person, firm or corporation named in the warrant and any other person who may be found in possession of said article or articles, to be and appear at the time and place therein specified; such person shall be summoned by service of a copy of said warrant in the same way and manner as a summons issuing out of the court in which such warrant has been issued. is served, and when such warrant is issued by a justice of the peace, it shall be served upon such person in the same way and manner as a summons issuing out of the Small Cause Court is served. The hearing upon such complaint shall be at the time and place specified in the warrant, which time shall be not less than five days nor

How proceedings taken.

Warrant issued.

Summons.

Hearing.

more than fifteen days from the date of issuing the said warrant; *provided, however,* that if the execution and service of the warrant, as aforesaid, has been less than three days before the return day of the warrant, then either party shall be entitled to a reasonable continuance.

Proviso.

Confiscation and disposition of bad food.

Upon the hearing the complaint may be amended, and any person, firm or corporation that appears and claims the said article or articles shall be required to file a claim in writing. If upon the hearing it shall appear that the goods seized under such warrant were offered or exposed for sale, or had in possession with intent to distribute or sell, or were intended for sale or distribution in violation of any provision of this act, or in any condition which rendered them unwholesome or unfit for food, the same shall be confiscated and disposed of by destruction or sale as the court, judge or justice of the peace may direct, and the proceeds thereof, if sold, less the legal costs and charges, shall be paid to the Board of Health of this State, which board shall pay the same into the treasury of this State, but such articles shall in no instance be sold contrary to the provisions of this act.

If seized articles not injurious returned to owner.

In case the articles so seized, as aforesaid, are not injurious to health and are of such a character that, when properly marked or branded, their sale is not prohibited by this act, the court, judge or justice of the peace, upon the payment of the costs of the proceedings above mentioned and the execution and delivery to the Board of Health of the State of New Jersey as obligee of a good and sufficient bond to the effect that such articles so seized, as aforesaid, shall not be sold or otherwise disposed of contrary to the provisions of this act or the laws of any State, Territory or district of the United States or of any of the laws of the United States, may, by order, direct that such articles be delivered to the owner thereof.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 290.

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, and to repeal section two of an act entitled "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 season for such capture and possession (Revision of 1903),' approved April fourteenth, one thousand nine hundred and three," filed March thirty-first, nineteen hundred and ten.

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

1. Section six of the act of which this act is amendatory be and is hereby amended so as to read as follows: Section 6 amended.

6. It shall be unlawful for any person hunting or gunning after geese, duck, swans or brant or other water wild fowl, to place the boat, sink-box or other vessel or construction in which such person may lie in wait to kill said geese, duck, swans, brant or other water wild fowl, at a distance of more than one hundred feet from ice marsh or meadow, bar or bank, or heaped seaweed not covered with water; and it shall be unlawful for any person or persons, with intent to capture or kill geese, duck, swans, brant or other water wild fowl, to hunt after or pursue the same in any manner except between one hour before sunrise and until one hour after sunset, under a penalty of twenty dollars for each offense. Hunting web-footed wild fowl from boat, etc. Hours for hunting. Penalty.

Section 2 repealed.

2. Section two of an act entitled "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," filed March thirty-first, nineteen hundred and ten, be and the same is hereby repealed.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 291.

An Act to authorize the cities of this State to acquire by purchase or condemnation lands and buildings for the purpose of converting the sites thereof into public squares or places, and to issue and sell bonds to provide for the cost of such acquisition and conversion, 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:*

Property acquired for park purposes.

1. Whenever the board or body having charge and control of the public parks of any city in this State shall deem it advisable to acquire any lands and buildings thereon erected for the purpose of converting the sites thereof into public squares or places, said board or body may purchase said lands and buildings 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 term 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 and buildings, or any part thereof, or any rights or interest therein, cannot be made, then said board or

body may cause said lands and buildings, 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 and buildings so acquired to be laid out and improved as a public square or place. Condemnation proceedings.

2. The board or body having charge and control of the finances of any city in this State may, whenever requested so to do by the said board or body having charge and control of public parks in said city, provide by resolution 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; said bonds shall be designated on their face "Public Square 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 having charge and control of the finances 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 paid over to and shall be applied by or under the direction of said board or body having charge and control of public parks to the cost of acquiring any lands or buildings, or any rights or interest in lands and buildings, theretofore or thereafter acquired under the authority of this act, and to the improvement of any such lands and buildings as a public square or place. Funds provided. Amount of bond issue. Rate. Time. Recital in bond. Sale and use of proceeds.

3. The board or body having charge and control of the finances of any city issuing bonds under the author- Sinking fund.

ity 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.

Powers given are additional.

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 limitations contained in any such law or laws.

5. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 292.

An Act to set off a part of the township of Berkeley, in the county of Ocean, into the township of Dover, in the county of Ocean, and to set off a part of the township of Dover, in said county, into the said township of Berkeley, and to change the sixth boundary line of the original boundary lines of the said township of Berkeley, which sixth boundary line is also a part of the boundary line between the said township of Berkeley and the said township of Dover.

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

Boundary changed.

1. The sixth boundary line of the township of Berkeley, in the county of Ocean, the same being also a part of the boundary line between said township of Berkeley and the township of Dover, in the county of Ocean, as said sixth boundary line is set out in an act of the

Legislature of New Jersey, entitled "An act to set off from the township of Dover, in the county of Ocean, a new township to be called the township of Berkeley," approved March thirty-first, eighteen hundred and seventy-five, be changed as follows:

Description of new boundary line between Berkeley and Dover townships.

Beginning at a point in the fifth boundary line of the said township of Berkeley, along the Atlantic ocean, as set forth in above-recited act, where the line of the southerly side of Fremont avenue, in North Sea Side Park (said avenue being also laid down on a map entitled "Plan of North Seaside Park, Ocean Co., N. J., surveyed June, 1908, by Wm. Segoine, Pt. Pleasant, N. J.," filed in the office of the clerk of the county of Ocean, September 4, 1908), if extended easterly will strike said fifth boundary line of the township of Berkeley; thence from said beginning along the said southerly line of said Fremont avenue so extended westerly to the said southerly line of Fremont avenue; thence along said southerly line of said Fremont avenue westerly to Barnegat bay; thence in a direct line westerly to the middle of Toms river at its junction with Barnegat bay; and that all that portion of the said township of Dover that lies south of said above line hereby established and between the said sixth boundary line of said township of Berkeley as set out in said above-recited act and the said line hereby established, be and the same hereby is separated from the said township of Dover and annexed to the said township of Berkeley, so that the same shall be hereafter a part of and within the territorial limits of the said township of Berkeley, and all that portion of the said township of Berkeley that lies north of the said above line hereby established, and between the said sixth boundary line of said township of Berkeley, as set forth in said above,recited act, and the said line hereby established, be and the same is hereby separated from the said township of Berkeley and annexed to the said township of Dover, so that the same shall hereafter be a part of and within the territorial limits of the said township of Dover.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 293.

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

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

Construing terms of deeds.

1. Every deed hereafter made, executed and delivered, conveying lands, shall, unless an exception be made therein, be construed to include all the estate, right, title, interest, use, possession, property, claim and demand whatsoever, both in law and in equity, of the grantor (including the fee simple if he had such an estate) of, in and to the said premises, with the appurtenances and the words heirs shall not be necessary in any deed to effect the conveyance of the fee simple.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 294.

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.

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

Section 31 amended.

1. Section thirty-one (31) of the act to which this is an amendment is hereby amended to read as follows:

Discharge of lien.

31. Such land and building may be discharged from any lien created by this act:

By payment to claimant.

I. By payment and receipt therefor, given by such claimant, which, when the same is executed in the pres-

ence of, and is attested by any officer entitled to take the acknowledgement of the execution of a deed, or when acknowledged or proved before such officer, shall be filed by such clerk, and the words "discharged by receipt" shall be entered by him in said lien docket, opposite the entry of said lien;

By payment to county clerk.

II. By paying to said county clerk the amount of said claim (with interest and costs); which amount said clerk shall pay over to said claimant;

By expiration of time limit.

III. By the expiration of the time limited for issuing a summons on such lien claim, without any summons being issued, or without notice thereof endorsed on said claim; and further when it shall be made to appear by affidavit or otherwise to the satisfaction of the justice of the Supreme Court holding the Circuit Court in the county wherein said lien is filed, that more than the time limited for issuing a summons on such lien claim without any summons being issued or without notice thereof being endorsed on said claim, and said lien still remains on record as unsatisfied, the judge of said court shall have power to forthwith order the clerk of said court to enter a discharge of said lien in said lien docket, opposite the entry of said lien;

After time limit has expired.

By filing affidavit.

IV. By filing an affidavit that a notice from the owner to the claimant, requiring such claimant to commence suit to enforce such lien in thirty days from the service of such notice; and the lapse of thirty days after such service without such suit being commenced, or without any entry of the time of issuing such summons being made on such claim;

By satisfactory proof to justice.

V. When it shall be made to appear by affidavit or otherwise, to the satisfaction of the justice of the Supreme Court holding the Circuit Court in the county wherein said lien is filed, that said lien has been duly paid and satisfied, and that the claimant under said lien, or his attorney, have died or removed from this State since the filing of said lien, and said lien still remains on record as unsatisfied, the judge of said court shall have power to forthwith order the clerk of said court to enter a discharge of said lien in said lien docket, opposite the entry of said lien.

Approved April 1, 1912.

CHAPTER 295.

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

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

Section 77 amended.

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

Standard form of fire insurance policy.

77. The Commissioner of Banking and Insurance having in accordance with law prepared a printed form in blank, of a contract or policy of fire insurance, together with such provisions, agreements or conditions as may be endorsed thereon, and form a part of such contract or policy, and filed the same in the office of the Secretary of State, on or before the first day of July, one thousand eight hundred and ninety-two, similar in all respects, except as hereinafter mentioned, to the contract or policy of fire insurance provided by law for the States of Pennsylvania and New York, such form being known and designated as the "Standard fire insurance policy of the States of New York, Pennsylvania and New Jersey," no fire insurance company, corporation or association, their officers or agents, except as hereinafter provided, shall make, issue, use or deliver for use, any fire insurance policy, or a renewal of any fire policy on property in this State other than such as shall conform in all particulars as to blanks, size of type, context, provisions, agreements and conditions, with such printed form of contract or policy filed in the office of the Secretary of State as aforesaid, and no other or different provisions, agreement, condition or clause shall in any manner be made a part of said contract or

policy, or be endorsed thereon or delivered therewith, except as follows, to wit:

Name, location date, etc.

I. The name of the company, its location and place of business, the date of its incorporation or organization, whether it is a stock or mutual company, the names of its officers, the number and date of the policy, and if it be issued through a manager or agent, the words "this policy shall not be valid until countersigned by the duly authorized manager or agent of the company at .....," may be printed on policies issued on property in this State;

Matters clearly expressed.

II. Printed or written forms of description and specification, or schedules of the property covered by any particular policy, and any other matter necessary to clearly express all the facts and conditions of insurance on any particular risk (which facts or conditions shall in no case be inconsistent with, or a waiver of any of the provisions or conditions of the standard policy herein provided for), may be written upon or attached or appended to any policy issued on property in this State;

Legal provisions may be printed.

III. A company, corporation or association organized or incorporated under and in pursuance of the laws of this State or elsewhere, if entitled to do business in this State, may, with the approval of the Commissioner of Banking and Insurance, if the same is not already included in the standard form filed in the office of the Secretary of State, as aforesaid, print on its policies any provision which it is by law required to insert therein, if such provision is not in conflict with the laws of this State, or of the United States, or of the provisions of the standard form provided for herein; but said provision or provisions shall be printed apart from the other provisions, agreements or conditions of the policy, under a separate title, as follows: "Provisions required by law to be stated in this policy"; *provided, however,* any such contract or policy may be printed, written or typewritten with any size of type or of any size or shape of paper which shall have the written approval of the Commissioner of Banking and Insurance. The name, with the word "agent" or

Proviso.

Endorsements.

"agents", and place of business of any insurance agent or agents, either by writing, printing, stamping or otherwise, may be endorsed on the outside of the policy.

Policies binding on company.

Any policy issued contrary to the provisions of this section shall nevertheless be binding upon the company issuing the same.

Approved April 1, 1912.

CHAPTER 296.

An Act to amend an act entitled "An act making appropriation for the purpose of marking the channels of the inland waterway along the Atlantic coast from Cape May to Bay Head, and the waters connected therewith and adjacent thereto," approved April sixth, nineteen hundred and eleven.

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

Section 2 amended.

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

Appropriation for marking channel.

2. For this purpose the sum of thirty-five hundred dollars is hereby appropriated annually, when included in any annual or supplemental appropriation bill.

Repealer.

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

Approved April 1, 1912.

CHAPTER 297.

An Act authorizing the acquisition and maintaining by the State of New Jersey, in conjunction with the State of Pennsylvania, of toll bridges across the Delaware river, and providing for free travel across the same.

Preamble. WHEREAS, Toll bridges have been constructed and are now maintained at various places across the Delaware river between the State of New Jersey on one side and the State of Pennsylvania on the other by companies incorporated under and by virtue of the laws of the States of New Jersey and Pennsylvania, which toll bridges are necessary for the accommodation of the public, the carrying on of business and for social intercourse; and

Preamble. WHEREAS, By reason of the constant increase in the population in the border counties of said States and the constant increase in traffic upon and across said bridges, the payment of toll has become a serious burden and tax upon the people of both said States, and operates to their detriment; therefore

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

Commission on free bridges across Delaware river. 1. Three persons shall be appointed by the Governor to be constituted a commission together with a like board or commission from the State of Pennsylvania to acquire the rights, franchises and property of the several bridge companies owning and operating toll bridges across said Delaware river between the State of New Jersey and the State of Pennsylvania, except such as are owned by steam or electric railways or railroads and used for railway or railroad purposes, such acquisition to be either by purchase or to be had and effected by the State of New Jersey under and by virtue

Proportionate cost.

of its rights of eminent domain as set forth in sections two and three of this act. The State of New Jersey to pay one-half of the cost of said properties and one-half the cost of acquiring the same, the other half to be paid by the State of Pennsylvania.

Court to appoint viewers.

2. In case the compensation accruing from such appropriation has not been agreed upon the Court of Common Pleas of the county in which the bridges, or any of them so taken shall be situated, or any law judge thereof in vacation, without any bond being required to be filed, on application thereto, by the Attorney-General of the State, or any corporation, stock company, partnership or persons interested, shall appoint three discreet and disinterested freeholders as viewers, and appoint a time not less than twenty nor more than thirty days therefrom, when said viewers shall meet upon the property and view the same, and the premises affected thereby; the said viewers shall give at least ten days' personal notice of the time and place of the first meeting to the Attorney-General, and to the president, secretary or director of any corporation stock company or partnership affected, if any of the aforesaid officers reside in the county in which said bridges are located, otherwise by advertisement for three consecutive weeks in two newspapers published in said county, and by hand-bills posted upon the premises or by such notice as the court shall direct.

Notice of Meeting.

Hearing.

3. The said viewers having been duly sworn or affirmed faithfully, justly and impartially, to decide and true report to make concerning the value of the property and franchises so taken, which shall be submitted to them and in relation to which they are authorized to inquire under the provisions of this act, and having viewed the premises or examined the property, shall hear all parties interested, and their witnesses, and shall estimate the damages for property taken, injured or destroyed with all the rights and franchises appertaining to the same, and to whom the damages are payable. They shall give at least ten days' notice thereof, in the manner herein provided to the Attorney-General and to all parties interested of the time and place when said

Estimates prepared.

viewers will meet and exhibit said report and hear all exceptions thereto.

Report to court.

4. After making whatever changes are deemed necessary the said viewers shall make a report to the court showing the damages, and file therewith a plan showing the location of said bridge or bridges so taken, and the names of the corporation stock company, partnership or persons to whom such damages are payable.

Excetions to report may be filed.

5. Upon the report of said viewers, or any two of them, being filed in said court, either the State of New Jersey, the corporation stock company, partnership or persons owning said bridge or bridges, or any party interested may, within thirty days thereafter, file exceptions to the same, and the court shall have power to confirm said report or to modify, change or otherwise correct the same, or refer the same back to the same or new viewers with like power as to their report, or within thirty days from the filing of any report in court or the final action of the court upon the exceptions of any corporation whose property is taken, or the State of New Jersey may appeal and demand a trial by jury, and any corporation stock company, partnership, person or party interested therein, or the State of New Jersey may, within thirty days after final decree, take an appeal to the Supreme Court. If no exceptions are filed and demands made for trial by jury within the said thirty days after the filing of said report, the same shall become absolute.

Consideration of report.

Appeal may be taken.

Orders; notices.

6. The said Court of Common Pleas shall have power to order what notices shall be given in connection with any part of said proceedings and may make all such orders as it may deem requisite.

Expenses.

7. The costs of the viewers and all court costs, including advertisements incurred in the proceedings aforesaid, shall be defrayed by the State of New Jersey, and each of the said viewers shall be entitled to a sum not exceeding five dollars a day for every day necessarily employed in the performance of the duties herein prescribed.

Bridges to become property of State.

8. Upon and immediately after the enactment of the concurrent legislation by the State of Pennsylvania, said

bridges shall become the sole property of the said States of New Jersey and Pennsylvania in proportion aforesaid, and the toll charges thereon shall cease and said bridges shall be free to the traveling public under such rules and regulations as may be prescribed by the said States; provided, that if the said commission and the corporation stock company, partnership or person owning any of the said bridges fail to come to an agreement as to the compensation for the taking of the same within sixty days of the enactment of said concurrent legislation, the jury of view shall be appointed as aforesaid and damages assessed as of the date upon which the collection of tolls ceased, with interest thereon during the time an appeal from the assessment thereof is pending; *and provided further,* that any steam or passenger railroad or railway now having in use and occupation any such toll bridge under a lease or agreement with any corporation stock company, partnership or person owning said bridge, shall pay to the States of New Jersey and Pennsylvania the same rental, interest and charges and in the same manner and proportions as they now pay to the said bridge corporation or corporation companies or owners as aforesaid.

No tolls charged.

Proviso.

Proviso.

Equal payments to owners.

9. All bridge properties or interests therein acquired by the States of New Jersey and Pennsylvania in the manner and form above prescribed, and all damages and costs arising from the taking of the same as aforesaid, shall be paid by the two States to the corporation stock companies, partnership or persons as their interests may appear in equal proportions as the interests of said States may appear.

Custody, care and maintenance.

10. Upon the acquisition as aforesaid by the State of New Jersey jointly with the State of Pennsylvania according as such bridges have a terminus in the said States, respectively, of the bridge properties as hereinbefore provided, such bridges shall be and remain in the charge and custody of any board or official that the respective Governors of said States may designate and such bridges and the immediate approaches thereto shall be maintained jointly by said State of New Jersey and said State of Pennsylvania in which each of these

bridges has its terminus in equal proportions, and shall be kept in constant repair and rebuilt when destroyed, and the expenses incident to the maintenance of said bridge property in the charge and custody of said board shall be borne equally by said States; *provided,* that appropriate concurrent legislation for the same purpose be enacted by the State of Pennsylvania. Proviso.

Appropriation.

11. Not more than five hundred thousand dollars shall be paid by the State of New Jersey for and on account of its portion or share for the purchase or condemnation of said bridges; *provided,* that not more than one hundred thousand dollars thereof shall be expended for the said purpose each year, and the aforesaid amount or so much thereof as may be necessary is hereby specifically appropriated in the proportions aforesaid out of any moneys in the treasury not otherwise appropriated. Proviso.

Approved April 1, 1912.

CHAPTER 298.

An Act to authorize private secondary schools and institutions of learning incorporated and existing under and by virtue of an act of the Legislature of New Jersey to elect one or more non-resident trustees;

Preamble.

WHEREAS, Certain secondary schools and institutions of learning have been incorporated and exist under and by virtue of an act of the Legislature of New Jersey entitled "An act to incorporate societies for the promotion of learning (Revision)", approved April ninth, one thousand eight hundred and seventy-five, and the several acts supplemental thereto and amendatory thereof, which said act and the several acts supplemental thereto and amendatory thereof were by an act of the Legislature of New Jersey entitled "An act to repeal sundry acts relating to associa-

tions not for pecuniary profit," approved March twenty-second, one thousand eight hundred and ninety-nine, repealed; and

Preamble.

WHEREAS, Section two of the last mentioned repealing act contained the following language, to wit: "Nothing herein contained shall impair or annul any vested rights, privileges or powers heretofore obtained and used under authority of said acts or any of them, and all corporations which have heretofore availed themselves of the provisions of said acts may continue to enjoy the rights and advantages which they now enjoy and exercise by virtue thereof."

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

Non-resident trustees.

1. Any private secondary school or institution of learning incorporated under "An act to incorporate societies for the promotion of learning (Revision)", approved April ninth, one thousand eight hundred and seventy-five, and any acts supplemental thereto or amendatory thereof, and by virtue of section two of "An act to repeal sundry acts relating to associations not for pecuniary profit," approved March twenty-second, one thousand eight hundred and ninety-nine, exercising rights and advantages by virtue of such incorporation, may have one or more non-resident trustees, provided at least four members of the board of trustees shall be residents of the State of New Jersey, and provided further that the board of trustees or other governing body of such corporation shall by a resolution passed at any regular meeting of the said board, by a majority vote of the same, accept the provisions of this act and file such acceptance under its corporate seal and under the hand of the president or other head officer of said board of trustees or other governing body, attested by the secretary or clerk thereof, and duly proven before an officer authorized to take acknowledgment and proof of deeds for real estate in the State of New Jersey, together with a true copy of the resolution passed by the board of trustees or other governing body, certified by the secretary or clerk thereof, in the office of the Secretary of State.

Proviso.

Proviso.

Certificate of acceptance filed with Secretary of State.

2. Immediately upon filing said acceptance and copy of said resolution, the board of trustees or other governing body of said institution may contain one or more non-resident natural persons otherwise qualified to act and duly elected in the manner in which the members of said board of trustees or other governing body now are. Number of non-resident trustees.

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

Approved April 1, 1912.

CHAPTER 299.

An Act vesting the title to the real and personal property of extinct Reformed Churches in America or Reformed religious societies in America in the classis having particular ecclesiastical jurisdiction over the same, and prescribing the procedure to establish the title of the classis to such property.

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

1. All property, both real and personal, belonging to or held in trust for any Reformed Church in America or any Reformed religious society in America that has or shall become extinct shall vest in and become the property of the classis having ecclesiastical jurisdiction over the same, its successors and assigns; *provided,* that this act shall not affect the reversionary interest of any person or persons in such property or any valid lien thereon. Property of extinct church vested in classis. Proviso.

2. Any Reformed Church in America or Reformed religious society in America, in this State, which has ceased or failed to maintain religious worship or services, or to use its property for religious worship or services, according to the tenets, usage and customs of When church deemed extinct.

Reformed Churches in America in this State, for the space of two consecutive years, or whose membership has so diminished 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 and 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, or property which may be held in trust for such church or society, be transferred to and the title and possession thereof vested in the particular classis having ecclesiastical jurisdiction over the same.

Application to dispose of property.

3. An application for such an order and disposition of property may be made by any member or officer of the said classis having ecclesiastical jurisdiction over the same, when duly authorized thereto by the said classis upon a verified petition setting forth the facts authorizing such order and disposition of property. Upon the presentation of such petition to the Court Chancery, such report 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 the property applied for is necessary or proper, for any of the causes mentioned in section two of this act, such court shall make a final order declaring such church or society extinct and dissolve the same, and transfer any property and the title and possession thereof which may belong to such church or society, or held in trust for such church or society, and vest the same in the said classis having such ecclesiastical jurisdiction in as full and ample a manner as the same shall theretofore have been vested in the consistory or persons or body holding the same in trust for such particular church society and congregation, and said classis may manage, sell or otherwise freely dispose of the same in such manner as to such classis may seem best for religious uses and purposes within the territory over which such classis shall have ecclesiastical jurisdiction, and, in event that such property shall be sold

Action by Court of Chancery.

Order declaring church extinct.

by the classis, such sale or conveyance by such incorporated classis shall be as good and effectual in law and equity as made by the consistory, persons or body formerly holding the same, and apply the proceeds from such sale in such manner as to such classis may seem best for religious uses, and shall vest in the grantee all the right, title and interest in and to such property theretofore vested in such church and its trustees, or in such congregation therewith connected, or in such persons or body holding the same in trust for such particular church, society and congregation, it being the intent and purpose of this act to preserve to the Reformed denomination of this State all property owned by or held in trust for any such church or society for religious uses. Sale of property. Intent of act.

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

Approved April 1, 1912.

CHAPTER 300.

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 sixty-five of the said act be amended so as to read as follows: Section 65 amended.

65. Whenever any corporation shall become insolvent or shall suspend its ordinary business for want of funds to carry on the same, or if its business has been and is being conducted at a great loss and greatly prejudicial to the interest of its creditors or stockholders, any creditor or stockholder may by petition or bill of com- Remedy in Chancery by bill.

plaint setting forth the facts and circumstances of the case, apply to the Court of Chancery for a writ of injunction and the appointment of a receiver or receivers or trustee or trustees, and the court being satisfied by affidavit or otherwise of the sufficiency of said application, and of the truth of the allegations contained in the petition or bill, and upon such notice, if any, as the court by order may direct, may proceed in a summary way to hear the affidavits, proofs and allegations which may be offered on behalf of the parties, and if upon such inquiry it shall appear to the court that the corporation has become insolvent and is not about to resume its business in a short time thereafter, or that its business has been and is being conducted at a great loss and greatly prejudicial to the interest of its creditors or stockholders, so that its business cannot be conducted with safety to the public and advantage to the stockholders, it may issue an injunction to restrain the corporation and its officers and agents from exercising any of its privileges or franchises and from collecting or receiving any debts, or paying out, selling, assigning or transferring any of its estate, moneys, funds, lands, tenements or effects, except to a receiver appointed by the court, until the court shall otherwise order.

May issue injunction.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 301.

An Act to authorize boards of chosen freeholders in counties of this State to acquire certain real estate, owned by municipalities of this State, for the purpose of establishing hospitals for the treatment of tubercular diseases.

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

Counties may acquire municipal hospitals for tubercular diseases.

1. Whenever the board of chosen freeholders of any county in this State shall have resolved to establish an

hospital for the care and treatment of persons suffering with tubercular diseases, under the authority of any law of this State, it shall be lawful for such body to acquire, in the name of such county, lands and buildings, the property of any municipality of this State, used for like purposes, located within such county, by agreement with the governing body of such municipality, or by condemnation, in the manner prescribed by an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900)," approved March twentieth, one thousand nine hundred, and the supplements and amendments thereto.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 302.

An Act to authorize the sale or mortgaging of lands and premises in which a person mentally incapacitated may have an inchoate right of dower and providing for the determination, release or purchase of such inchoate right of dower.

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

Conveyance of property owned by persons mentally incapacitated.

1. Whenever it shall appear to the satisfaction of the Ordinary of the Prerogative Court that any person entitled to an inchoate right of dower in any lands, tenements or hereditaments is incapacitated, by mental infirmity or disease, from executing a valid conveyance or release of the same, and that the interests of both such person and the owner of such lands, tenements and hereditaments will be promoted by a conveyance or mortgage of the same, it shall be lawful for the Ordinary of the Prerogative Court to direct such conveyance or

release to be made by any Master of the Court of Chancery, whose deed or release executed in behalf of such person shall convey, release and bar all the dower, or right, or estate in dower, to which such person may have, or would at any time succeed or become entitled to in such lands, tenements and hereditaments.

Reference to master.

2. Upon a petition filed for a conveyance or mortgage as aforesaid, the Ordinary of the Prerogative Court may, in a summary manner, proceed to inquire into the merits of the application by reference to a master or otherwise, and in case a conveyance or mortgage is allowed and ordered by him, shall require a bond to be given by the owner of such lands, tenements and hereditaments to the Ordinary of the Prerogative Court or to the guardian of such person in such penalty and with such surety as he may direct, to secure to the guardian of such person so entitled to such inchoate right of dower, the enjoyment during her life after such dower has become fixed and assigned, a fund equal to one-third of the value of such lands, tenements and hereditaments; or in lieu of said bond, if the petition so request, the Ordinary of the Prerogative Court shall cause an appraisement of said land and premises to be made, and a gross sum paid or secured to the guardian of such incompetent in consideration of the release and relinquishment of her inchoate right of dower in the said lands, tenements and hereditaments; and the Prerogative Court shall have full power over such admeasurement and make all orders and decrees relative to the same as may be necessary to give complete relief to the parties, their heirs, devisees and assigns.

Bond given.

Secured fund.

Power of court.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 303.

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:*

Not make false representation as to credit.

1. No life insurance company or beneficial association in this State, or agent thereof, shall state or represent by advertisement in any newspaper, periodical, or magazine, or by any sign, circular, card, policy of insurance or certificate of renewal thereof, or otherwise, that any funds or assets are in possession of any such company or association not actually possessed by it, and available for the payment of losses and claims and held for the protection of its certificate holders or creditors; and no such company or association, officer, director, trustee, or agent thereof, or any other person, copartnership or corporation, shall issue any illustration, circular, or statement of any sort, misrepresenting the terms of any policy or certificate issued by it, or the benefits or advantages promised thereby, of any estimate of the dividends or share of surplus to be received thereon, or shall use any name or title of any policy or class of policies, misrepresenting the true nature thereof; nor shall any such company or agent thereof, or any other person, copartnership, or corporation, make any misleading representations or incomplete comparison of policies or contracts issued or to be issued to any person insured in another company or association, for the purpose of inducing or intending to induce such person to lapse, forfeit or surrender his said existing insurance. Any violations of this section shall constitute a misdemeanor; and any person, corporation or copartnership,

Misrepresentations in policies.

Misleading comparisons.

upon conviction of violating the same, shall be subject to a fine not exceeding five hundred dollars ($500.00), and an imprisonment not exceeding six (6) months, or either or both, at the discretion of the court.

Penalties.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 304.

An Act to validate, legalize and confirm bonds, contracts and other obligations issued, authorized, made or entered into, or hereafter to be issued, authorized, made or entered into, and all proceedings leading up to the issuance or making of the same, pursuant to or under color of an act entitled "An act concerning townships (Revision of 1899)," approved March twenty-fourth, one thousand eight hundred and ninety-nine, and acts amendatory thereof and supplemental thereto.

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

Bond issue validated.

1. Whenever heretofore under the authority of an act entitled "An act concerning townships (Revision of one thousand eight hundred and ninety-nine)," approved March twenty-fourth, one thousand eight hundred and ninety-nine, and acts amendatory thereof and supplemental thereto, a petition has been presented in any township to the township committee to issue bonds, and an election has been called and held in such township for the adoption of a proposition to issue such bonds, and a majority of the legal votes cast at such election have been in favor of the adoption of such proposition, and thereafter such township committee shall have passed a resolution authorizing and directing

the issue of such bonds, said petition, notwithstanding any failure to specify a particular rate of interest of five per centum per annum or less in said petition, and notwithstanding any other defect, omission or irregularity in said petition, said election and the proposition so adopted, and the resolution of said committee directing the submission of said proposition to the voters of such township, notwithstanding the fixing of a definite rate of interest and a different interest period from that set out in said petition, in said proposition by said resolution, and notwithstanding any other defect, omission or irregularity in said resolution, proposition or election, or in the manner of submitting such proposition to the legal voters of such township or in any other proceeding calling such election or in the canvass or filing of the result thereof, and the resolution adopted by such township committee authorizing and directing the issue of such bonds, notwithstanding any defect, omission or irregularity therein, are hereby validated and legalized, and all bonds, contracts or other obligations issued, authorized, made or entered into, or hereafter to be issued, authorized, made or entered into, pursuant to the proposition so adopted and the resolution adopted by the township committee after such election, are hereby validated, legalized and confirmed, and shall be and are hereby declared to be, when issued, valid and legally binding obligations of such township; *provided,* that such bonds shall contain a recital of the purpose for which they were issued, specify the act under which they were issued, and also contain a further recital certifying that each and every act, condition and thing required to be done, have happened and been performed, has happened and has been performed, and that the total indebtedness of such township, including such issue of bonds, is not in excess of any constitutional or statutory limitation of indebtedness. Proviso.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 305.

An Act authorizing the board of education in any city of this State to transfer and convey certain lands to such city.

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

School boards may convey lands not needed to city for park purposes.

1. Whenever the board of education in any city of this State has acquired lands for the purpose of erecting a school building thereon, and shall determine that such lands are undesirable or unnecessary for such purpose, it shall be lawful for such board of education to transfer and convey such lands to such city, without any consideration being paid therefor, for use by such city as a public park or playground, and such lands, when so transferred and conveyed, shall thereafter be in the charge and under the control of the board or body having charge and control of the public parks of such city and may be improved by such board or body.

How transfer made.

2. No transfer or conveyance of lands shall be made until the board of education shall have adopted a resolution declaring the lands no longer desirable or necessary for the purpose of erecting a school building thereon and authorizing the conveyance thereof to the city, by deed executed in the name and under the seal of the board of education, by the president and secretary thereof, and until the board or body having charge of the finances of the city shall have adopted a resolution, approved by the mayor thereof, requesting or approving the conveyance of such lands to such city.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 306.

An Act to amend an act entitled "An act to provide for suitable representation by the State of New Jersey at the coming celebration, at Gettysburg, Pennsylvania, of the fiftieth anniversary of the battle of Gettysburg," approved February twenty-seventh, one thousand nine hundred and twelve.

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

Paragraph 1 amended.

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

Detail of veterans to Gettysburg anniversary.

1. With the approval of the Governor, the Adjutant-General of the State is hereby authorized, after consultation with the Commander of the Department of New Jersey, Grand Army of the Republic, to make detail of all honorably discharged veterans of the Civil War now residing in this State, to participate, representing the State of New Jersey, at the coming celebration at Gettysburg, Pennsylvania, of the fiftieth anniversary of the battle of Gettysburg, on the first, second, third and fourth days of July, nineteen hundred and thirteen.

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 1, 1912.

CHAPTER 307.

An Act to authorize the issue of bonds for enlarging, extending, widening or repairing certain public bridges in counties.

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

Bond issue for improving bridges.

1. Whenever the board of chosen freeholders of any county of this State, by resolution approved by a majority of the membership of said board shall declare that it is expedient, advisable, desirable or necessary to enlarge, extend, widen, or repair any public bridge in said county it shall be lawful for the board of chosen freeholders of said county for the purpose of enlarging, extending, widening or repairing said bridge in said county to issue bonds in the corporate name and under the corporate seal of said county, signed by the director and clerk of the board of chosen freeholders in said county and countersigned by the county collector thereof, and to be denominated on their face "Bridge Bonds," to an amount not exceeding one hundred thousand dollars; such bonds may be registered or coupon bonds and shall bear a rate of interest not exceeding five per centum per annum payable half yearly, and shall be redeemable not exceeding twenty-five years from their date in the discretion of the board of chosen freeholders of any county; which bonds may be sold at public or private sale for the best price they can obtain for the same, but shall not be sold for less than their par value; and all real estate and property within any such county shall be liable for the payment of the principal and interest that may become due on bonds to be issued by virtue of this act.

Amount.

Rate.

Time.

Provision for interest and redemption.

2. The board of chosen freeholders of any county that shall issue bonds by virtue of this act, shall have power and authority to provide by taxation for the

payment of said bonds and the interest thereon and shall yearly and every year until the said bonds shall be redeemed and paid off, order and cause to be collected by tax, at the same time and in the same manner as other taxes are assessed and collected in such county a sum of money sufficient to pay the interest on the said bonds as the same shall become due and payable, and to pay and discharge the principal at the several times it shall become due and payable.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 308.

An Act to validate certain proceedings undertaken by the State Board of Health pursuant to the provisions of an act entitled "A supplement to an act entitled 'An act to prevent the pollution of the waters of this State by the establishment of a State Sewerage Commission, and authorizing the creation of sewerage districts and district sewerage boards, and prescribing, defining and regulating the powers and duties of such commission and such boards,' approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April sixteenth, nineteen hundred and eight, and the acts amendatory thereof and supplementary thereto.

Preamble.

WHEREAS, By the passage of the act referred to in the title of this act and the supplements thereto and amendments thereof, the Board of Health of the State of New Jersey was vested with all the powers and charged with all the duties formerly exercised and executed by the State Sewerage Commission; and

WHEREAS, A question has now arisen as to the validity of the titles of the said act and of the amendments thereof and supplements thereto;

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

Certain actions validated.

1. All actions and proceedings which have been taken by the State Board of Health pursuant to the provisions of an act entitled "A supplement to an act entitled 'An act to prevent the pollution of the waters of this State by the establishment of a State Sewerage Commission, and authorizing the creation of sewerage districts and district sewerage boards, and prescribing, defining and regulating the powers and duties of such commission and such boards,' approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April sixteenth, nineteen hundred and eight, and the acts amendatory thereof and supplementary thereto, which are in accord with the practice and provisions contained in said acts, but which might be held to be invalid in event that the titles of the said acts were questioned and thought to be for any reason invalid, are hereby ratified and confirmed and shall not be reversed or annulled in any court by reason of any defect in the title of the said act or its supplements or amendments;

Proviso.

provided, however, that nothing herein contained shall be construed to affect in any way an existing suit or action either at law or in equity now pending in any court of this State.

Repealer.

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

Approved April 1, 1912.

CHAPTER 309.

An Act to amend the title of an act entitled "A supplement to an act 'An act to prevent the pollution of the waters of this State by the establishment of a State Sewerage Commission, and authorizing the creation of sewerage districts and district sewerage boards, and prescribing, defining and regulating the powers and duties of such commission and such boards,' approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April sixteenth, nineteen hundred and eight, so that the same shall indicate the object of the act, which is to vest in the Board of Health of the State of New Jersey all the powers and duties theretofore exercised by the State Sewerage Commission.

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

Title amended.

1. The title of the act referred to in the title of this act is hereby amended to read as follows: "An act vesting in the Board of Health of the State of New Jersey all the powers and duties heretofore vested in the State Sewerage Commission by an act entitled 'An act to prevent the pollution of the waters of this State by the establishment of a State Sewerage Commission, and authorizing the creation of sewerage districts and district sewerage boards, and prescribing, defining and regulating the powers and duties of such commission and such boards,' approved March twenty-fourth, one thousand eight hundred and ninety-nine, and the acts supplementary thereto and amendatory thereof."

Pending suits not affected.

2. Nothing herein contained shall be construed to affect in any way any suit or action at law or in equity now pending in any court of this State.

New Jersey State Library

Repealer.

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

Approved April 1, 1912.

CHAPTER 310.

An Act to amend the title of an act entitled "An act to amend 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," approved April sixteenth, nineteen hundred and eight, so that the same shall indicate the object of the act, which is to reorganize the State Board of Health and make other changes in the existing law incident to such reorganization.

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

Title amended.

1. The title of the act referred to in the title of this act is hereby amended to read as follows: "An act to amend 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, to provide for a reorganization of the State Board of Health, and to make other changes in the said law incidental to such reorganization."

Pending suits not affected.

2. Nothing herein contained shall be construed to affect in any way any suit or action at law or in equity now pending in any court of this State.

Repealer.

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

Approved April 1, 1912.

CHAPTER 311.

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

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

Expense of county superintendents met.

1. In addition to the salary provided by law or by the governing bodies appointing a county superintendent of weights and measures, the said county superintendents 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 free holders of their respective counties on bills itemized and properly sworn to.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 312.

An Act relating to the New Jersey Home for Disabled Soldiers at Kearney, New Jersey, and the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives, at Vineland, New Jersey, and to authorize the superintendents thereof to hold in trust or dispose of certain funds and personal effects which have heretofore or may hereafter be deposited with said superintendents by the inmates of said homes, and who afterwards die intestate, leaving said effects unclaimed by any one.

Preamble.

WHEREAS, The inmates of the New Jersey Home for Disabled Soldiers, at Kearney, New Jersey, and the inmates of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives, at Vineland, New Jersey, have heretofore, and do continue to deposit with the superintendents of the said homes certain moneys and effects to be returned to the respective depositors on demand and who afterwards die intestate, leaving said effects unclaimed and no provision of law authorizing said superintendents to dispose of, invest or manage the said effects. Therefore,

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

Disposition of funds left by intestates.

1. That the moneys, choses in actions and effects heretofore or which may hereafter be deposited with the superintendent of the New Jersey Home for Disabled Soldiers, at Kearney, New Jersey, and the superintendent of the New Jersey Home for Disabled Soldiers, Sailors, Marines and their Wives, at Vineland, New Jersey, in trust and which said depositors die intestate and leave said moneys and effects unclaimed, the superintendents of said homes, their successors in office shall and are hereby constituted and declared to be trustees of said funds and effects with power to invest said funds by and with the consent and approval of the board of managers of said homes respectively, and to use the income arising from said funds so invested for the benefit of the inmates of said homes in such manner and for such purposes as said board of managers may deem most advisable.

Proviso.

Provided always, that upon application made and sutained by legal proof, the sufficiency whereof the said superintendents or board of managers shall be the sole and exclusive judges: that then and in such cases the said superintendents shall pay over to said applicant or applicants said funds to which they may be entitled upon their giving a proper release and discharge therefor, duly acknowledged according to law.

Proviso.

Provided further, that in any and all such cases where no application is made for said funds within three years next after the death of said depositor that then and in

such case the said funds and the income thereof if any, shall escheat to, and become the property of, and subject to the absolute control and disposal of the board of managers of the said homes respectively, to be by them used for such purposes as they may deem most advisable.

Superintendents to give bond.

2. The several superintendents named in the foregoing section shall, before they receive said fund and enter upon the discharge of their duties as such trustee, respectively execute and deliver to the board of managers of their respective homes the bond of a surety company, authorized to do business in this State, in the sum of ten thousand dollars payable to such board, conditioned for the faithful performance of their respective duties as such trustee; any such bond shall be first approved as to form and sufficiency by the board to whom it is given and to be retained by it for the protection of said funds.

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

Approved April 1, 1912.

CHAPTER 313.

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), 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:*

Authorized attorney upon whom process may be served.

1. Every executor, administrator, trustee or guardian not a resident within this State shall file with the surrogate of the county, or with the register, or clerk of

the court, of this State, from which he, she or it has received or may hereafter receive letters testamentary or of administration, or such letters and power and authority as have been or may hereafter be granted, a duly executed instrument in writing constituting the said surrogate, register or clerk, and his successors in office, his, her or its true and lawful attorney upon whom all original process in any action at law or in equity against the estate which he, she or it may represent and therein shall set forth the post-office address, street and number, and shall agree that any original process against the estate shall be of the same force and effect as if duly served on such executors, administrators, trustees or guardians within this State.

How process served.

2. Service of such process shall be made by leaving a copy of the same with the surrogate or deputy surrogate, register or clerk, or with any clerk employed in the office of such surrogate, register or clerk, together with a fee of two dollars to be taxed in the plaintiff's costs of suit. The surrogate or deputy surrogate, register or clerk shall forthwith notify the executor, administrator, trustee or guardian of such service by mailing a letter with a copy of the process served enclosed, with full postage thereon prepaid, directed to such executor, administrator, trustee or guardian at the post-office address given in the said power of attorney.

Fee.

Notification given executor, etc.

Action in case power of attorney is not given or revoked.

3. If the power of attorney is not executed and filed as aforesaid, within ten days after notice served upon said executor, administrator, trustee or guardian, either in person or by mail as may be directed; or if at any time said power of attorney is revoked by such executor, administrator, trustee or guardian, any letters testamentary, or of administration, or any authority whatsoever of any kind which may have been granted by such surrogate, or by any court of this State, or by any judge of any court of this State, shall forthwith and immediately be and become null, void and revoked, and any person or persons or any competent and duly authorized corporation of this State, upon giving notice of such application as may be directed, may then

petition the surrogate or court or whomsoever may have the power and authority, for letters of substitution in the place and stead of those revoked as aforesaid which may then be granted. Letters of substitution granted.

4. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 314.

An Act to validate and confirm any election, and all the proceedings heretofore held or taken in any county of this State in accordance with the provisions of an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership therof, fixing the salaries, and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards," approved March twenty-sixth, one thousand nine hundred and two, the title to which act was amended to read as above set forth by an act approved April twentieth, one thousand nine hundred and nine, and the supplements and amendments thereto.

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

1. Whenever heretofore an election has been held in any county of this State at which the question of the adoption of the act of the Legislature of the State of New Jersey, entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment Election to reduce number of freeholders validated.

and terms of office of officers appointed by such boards," approved March twenty-sixth, one thousand nine hundred and two, the title to which act was amended to read as above set forth by an act approved April twentieth, one thousand nine hundred and nine, and the supplements and amendments thereto, has been submitted to the legal voters of such county, and a majority of votes cast at such election of the adoption of the said act has been in favor of the adoption thereof, said election be and the same is hereby validated and legalized; notwithstanding any irregularity in the submission of the question of the adoption of said act; and said act and the supplements and amendments thereto shall be held and deemed to have been duly adopted and shall take effect in said county immediately.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 315.

An Act to prescribe the terms and conditions under which degrees may be conferred by any school or institution of learning within this State.

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

Scholastic degrees must be approved.

1. No school or institution of learning conducted within this State shall hereafter confer any degree or degrees until the terms and conditions of such degree or degrees shall first be submitted to and approved of by the State Board of Education of the State of New Jersey; *provided,* that nothing in this section contained shall apply to any school or institution of learning which shall have been established and conducted within this State for a period of twenty-five years prior to the passage of this act.

Proviso.

2. Any person or corporation violating any of the provisions of this act shall be liable to a penalty of five hundred dollars for each offence, to be recovered in an action of debt by the State Board of Education of the State of New Jersey, such penalty when recovered to be paid into the treasury of this State. Penalty.

3. Nothing in this act contained shall apply to any school or schools conducted under the public school system of this State. Public schools excepted.

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

Approved April 1, 1912.

CHAPTER 316.

An Act requiring the clerks of courts of common pleas to file with the Commissioner of Labor copies of orders made by the judges of such courts upon matters arising under the provisions of an act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employe in the course of employment, establishing an elective schedule of compensation, and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, nineteen hundred and eleven.

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

1. The clerk of each of the courts of common pleas in this State, whenever any order is filed by the judge of such court making a decision upon any matter arising under the provisions of an act entitled "An act prescribing the liability of an employer to make com- Copy of order of court to be filed with labor bureau.

pensation for injuries received by an employe in the course of employment, establishing an elective schedule of compensation, and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, nineteen hundred and eleven, shall forthwith forward to the Commissioner of Labor of the State of New Jersey a copy of the said order, which need not be certified, without any charge being made therefor.

Repealer.

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

Approved April 1, 1912.

CHAPTER 317.

A Further Supplement to an act entitled "An act to secure the purity of the public supplies of the potable waters in this State," approved March seventeenth, eighteen hundred and ninety-nine.

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

Changes in operation of furnishing potable water.

1. Whenever any person or corporation furnishing water for potable purposes finds it necessary, for any reason whatever, to make any change, temporary or permanent, in the operation of their plant, or in the manner of furnishing such water, which may in any way, either temporarily or permanently, tend to deteriorate the potable quality of the water so furnished, by pumping directly into reservoirs or supply mains untreated water, when the ordinary supply is subjected usually to some form of purification treatment, or by any other similar or dissimilar change in said supply, the tendency of which is to cause polluted waters to be forced into distributing pipes, the said person or corporation, before making such change, or, in case of emergency, requiring the immediate making of changes

in the operation of the plant, or in the manner of furnishing such water, within six hours after making such change, shall notify the local board of health, and shall also notify, by telegraph or telephone, the State Board of Health, as to the character and estimated duration of such change. Boards of health notified.

2. Every person or corporation violating any of the provisions of this act, either by corporate action or the unauthorized act of an employe, shall be subject to a penalty of one hundred dollars, to be recovered in an action of debt by the local board of health, or, if there is no local board of health, then at the suit of the State Board of Health. Penalty.

3. Nothing herein contained shall operate to relieve such person or corporation from any suit or action on behalf of any person aggrieved by the action of such person or corporation in making any such change as is referred to in paragraph one of this act. Right of action not lost.

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

Approved April 1, 1912.

CHAPTER 318.

An Act to authorize the State Water-Supply Commission to acquire lands, water rights and interests therein for the purpose of appropriating or conserving the potable waters of the State to the general and common use of the inhabitants thereof, and to provide for the payment for the said lands, water rights and interests therein and making appropriation therefor.

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

1. The State Water-Supply Commission as a body corporate shall have power to acquire by gift, purchase, Authorized to acquire lands, water rights, etc.

condemnation, or in any other lawful manner, any lands, water rights and interests therein, whenever in its judgment it is advisable so to do, for the purpose of appropriating or conserving the potable waters of the State to the general and common use of the inhabitants thereof. In case condemnation of such lands or water rights or interests therein shall become necessary, the proceedings shall be in accordance with the 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, nineteen hundred, and the acts amendatory thereof and supplemental thereto.

Commission to assume obligations.

2. The said commission in acquiring any such property and rights shall have power to assume the payment of the principal and interest of any outstanding bonds or mortgages upon or affecting any or all of the said property and rights, and to undertake the fulfillment of the terms and conditions thereof, and to agree that the same shall be payable at such times and upon such terms and conditions, and bear such rates of interest (not exceeding five per centum per annum), and

Sinking fund.

to make such provisions for sinking fund, payment and retirement as the said commission may determine, and to give evidence of its said undertaking and agreement by its endorsement thereon, or by its deed or other obligation for that purpose executed and delivered, and in order to provide for the payment of the whole, or of any part, of the cost of any lands or water rights or interests therein, which may be acquired, the commission may issue and sell (at not less than par) or deliver

Bond issue.

its bonds payable at such times and upon such terms and

Rate.

conditions, and bearing such rate or rates of interest (not exceeding five per centum per annum), and with such provision for sinking fund, payment and retirement as the said commission may determine, and may secure the payment thereof by a mortgage or mortgages upon the property and rights acquired as aforesaid, or any other property and rights owned or to be owned by the said commission, which said mortgage or mortgages shall contain the same terms and conditions with

respect to the rate or rates of interest, sinking fund, payment and retirement, as are contained in the bond or bonds to be secured thereby. The holders of any of the bonds and mortgages hereinbefore mentioned, in order to enforce the payment thereof, shall have the same rights and remedies against the said commission, and the property and rights covered and affected thereby, as if the said property and rights were held by an individual or individuals, limited however to the property and rights covered by the bonds and mortgages issued for each specific acquisition of lands or rights and shall not be enforced against other holdings, property or rights of the said State Water-Supply Commission. The said commission in order to provide for the payment of the whole, or any part of the cost of the said lands and water rights or interests therein, or of the principal or interest due or to become due upon any or all of the bonds and mortgages in this act hereinbefore mentioned, and for the protection, maintenance and conservation of such lands and water rights and interests therein, shall also have power to use and pledge any and all moneys and credits it may have unappropriated to other specific uses, and also any and all moneys which have accrued or shall hereafter accrue to the State from the diversion of the waters of streams or lakes with outlets for the purpose of a public water supply under the provisions of the act entitled "An act to establish a State Water-Supply Commission and to define its powers and duties and the conditions under which waters of this State may be diverted," approved June seventeenth, one thousand nine hundred and seven, and the acts amendatory thereof and supplemental thereto, and the Comptroller of the Treasury shall draw his warrants on the State treasury and the State Treasurer shall pay the same out of the special fund to which said moneys have been credited, as the said commission shall from time to time certify to the Comptroller to be necessary for the purposes aforesaid.

Remedies against commission.

Money and credit pledged to meet payments.

3. For the purpose of raising revenue and reducing the expense of holding and carrying the properties and rights which may be acquired by the State Water-Sup-

Lands and rights may be utilized to reduce expenses.

ply Commission under this act, the commission is hereby authorized to devote the lands by them acquired or any part thereof to forestration under State supervision or to farm or lease the same for any purpose not inconsistent with the objects of this act, and to lease or sell water power and the products arising from such lands and all receipts and revenues so received may be held by the commission and the balance thereof, after paying the cost of administration, may be pledged by the commission for the payment of interest on bonds assumed or issued for the purchase or acquisition of any such property and rights and for the creation of any sinking fund for the payment of such bonds.

Powers herein conferred are additional.

4. The powers herein conferred on the State Water-Supply Commission are in addition to and not in limitation of any powers or authority heretofore conferred upon it, but shall only be exercised when consented to by the Governor of the State of New Jersey, and no contract, obligation, bond or mortgage executed in pursuance of the provisions hereof shall be valid unless the Governor of the State of New Jersey shall consent to the same, and every such contract, obligation, bond or mortgage shall be subject to review by the Supreme Court as to the reasonableness and fairness of the terms and conditions thereof.

Governor's consent necessary.

Repealer.

5. This act shall take effect immediately, and all acts and parts of acts inconsistent herewith are hereby repealed.

Approved April 1, 1912.

CHAPTER 319.

An Act authorizing the appointment of a commission to have charge of the entertainment of the guests of the Permanent International Association of Navigation Congresses, and making appropriation therefor.

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

1. The Governor is hereby authorized to appoint five

citizens of this State as a commission whose duty it shall be to take charge of the entertainment of the guests of the Permanent International Association of Navigation Congresses, who will visit this State during the month of May, nineteen hundred and twelve, for the purpose of inspecting the proposed route of the New Jersey Ship Canal and the projects under way at Cape May, Camden, Atlantic City, Trenton, New Brunswick, Newark and Jersey City, looking to the development of commerce of the State of New Jersey. This commission shall have power to organize by electing one of its members as president, and one member as secretary. The commission shall receive no compensation for their services.

Commission on entertainment.

Organization.

2. The sum of five thousand dollars is hereby appropriated, when included in any annual or supplemental appropriation bill, to be expended by the said commission for the purpose of such entertainment and transportation. Bills incurred for this purpose shall be paid upon the approval of the president and secretary of the said commission.

Appropriation.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 320.

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:*

1. In addition to the authority conferred upon the Commissioners appointed under the provisions of the act to which this act is a supplement it shall be lawful for such commissioners, in laying out parkways and boule-

Improvement and care of connecting parkways.

vards, when a portion of a contemplated parkway for the connection of two established parks or reservations is already a street, avenue or way, the care, custody and control of which has been transferred to a Park Commission and a portion is not a street, avenue or way, the care, custody and control of which has been transferred to a park commission, to pay for the construction and improvement of such parkways and boulevards, throughout their entire length from any money which may be in their hands for the purpose of construction and improvement of parks and parkways without the necessity of assessing the cost of such construction and improvement upon the abutting property owners.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 321.

An Act to provide for the appointment of a commission to revise and codify the laws relating to mechanics' liens.

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

Commission to revise mechanics' lien laws.

1. The Governor is hereby authorized to appoint a commission to consist of four persons to revise and codify the laws relating to mechanics' liens, in order to perfect the same, and bring about a uniformity between the laws on that subject in this State and other States, and to report the same to the next Legislature in the form of a bill, with such comments and recommendations annexed thereto as they may deem proper.

Organization.

2. Said commission shall organize by the election of a president and a secretary.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 322.

An Act to authorize the issue of bonds to fund the floating debt of counties.

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

Bond issue.

1. It shall be lawful for the board of chosen freeholders of any county in this State, for the purpose of funding the floating debt that existed on the first day of January, one thousand nine hundred and twelve, in any of the counties, for that purpose to issue bonds in the corporate name, and under the corporate seal of any such county, signed by the director and the clerk of the board of chosen freeholders of any such county, and countersigned by the county collector of any such county, to be denominated on their face "funding bonds" for any amount not exceeding the amount of the floating debt of any such county, on the first day of January, one thousand nine hundred and twelve; such bonds may be registered or coupon bonds, and shall bear a rate of interest not exceeding the rate of four and one-half per centum per annum, payable half yearly, and shall be redeemable at any time and in such installments, not exceeding twenty years from their date, at the office of the county collector of any such county, which bonds may be sold at public or private sale for the best price they can obtain for the same, but shall not be less than par value, and all the real estate and property within any such county shall be liable for the payment of the principal and interest that may become due on the bonds to be issued by virtue of this act.

Amount.

Rate.

Time.

Provision for interest and redemption.

2. The boards of chosen freeholders of any such county shall have power and authority to provide by taxation for the payment of the said bonds, and the interest thereon; and shall yearly and every year, until the said bonds shall be redeemed and paid off, order and

cause to be assessed and collected by tax, at the same time and in the same manner that other taxes in any such counties are assessed and collected, a sum of money sufficient to pay the interest on the bonds as they shall become due and payable; and to pay and discharge the principal as it shall become due and payable.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 323.

An Act permitting the retirement, on pension, from public office after, or by reason of, disability of officers and employees in all State penal institutions and reformatories.

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

Retirement of employes incapacitated.

1. Whenever any officer or employee of any State penal institution or reformatory, who has been employed in prison service, with a good record, for not less than twenty years, who is incapacitated to properly perform the discharge of his duties in said office or employment, and the same shall be certified to the managing authorities of State penal institutions or reformatories by the physician of the said institutions, it shall be the duty of the body, board or other officer of such institution to certify such fact to the Civil Service Commission and it shall thereupon become and be the duty of the body, board or other officer (when approved by the Civil Service Commissioners) having power to appoint his successor in case of a vacancy, to order his retirement from such service, under pension, as hereinafter provided.

Pension.

2. In the event of the retirement of any officer or employee as aforesaid, the person so retired shall be entitled to and for during his natural life, by way of pen-

sion, a sum equal to one-half of the salary which he was receiving at the time of his retirement; *provided,* that the sum allowed shall in no case be less than fifty dollars per month. Proviso.

3. It shall be the duty of the managing authorities of the State penal institutions to present each year to the Legislative Committee on Appropriations a statement of the amounts required to be appropriated for the payment during each fiscal year to officers who may have been retired on a pension; the said sums shall be paid in the same manner to the officers so pensioned as salaries now paid to deputies, subordinates and employees of the State penal institutions and reformatories. Provision for money.

4. Said officers or employees so pensioned shall be included on the regular monthly or semi-monthly payroll as may be now provided or hereafter provided for by law, and shall therein be classified as retired officers of said State penal institutions or reformatories. Classification.

5. This act shall not apply to any officer or subordinate who has heretofore been pensioned under existing laws. Exceptions.

6. All pensions due and owing under this act shall be paid by the Treasurer of the State upon the warrant of the Comptroller. Payments.

7. This act shall take effect immediately, and all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed. Repealer.

Approved April 1, 1912.

CHAPTER 324.

An Act to provide for the appointment of trustees during absence, and defining the powers and duties of the same.

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

1. Whenever it shall be made known to the Court of Chancery or to the Orphans' Court of the proper coun- Appointment of trustee to take charge of estate of absent owner whose whereabouts are unknown.

ty, by a petition verified by the affidavit of the husband, wife, next of kin or other person interested, of any person who has been a resident of this State, or of any other State, territory or foreign country, and who has property situate within this State, and who has absented himself or herself from his or her usual place of abode, for the space of one year, and whose whereabouts is not and has not been known for a period of one year, it shall be lawful for the Chancellor of said Orphans' Court to appoint one or more trustees, who shall take charge of and manage the estate of such person so being absent, and who shall have full power over said estate, with the privilege of applying to said court to commence such proceedings for the conservation, protection or disposal of said estate or any part thereof, as in the judgment of the said court shall be proper, and who shall be under the control and direction of said court.

Bond of trustee.

2. Said trustee, before taking charge of said estate, shall give bond in twice the amount of the personal property of said estate, and if the same shall be ordered to be sold in twice the value thereof, with sureties to be approved by said court for the faithful discharge of his or her duties, and shall within thirty days after his or her appointment, file an inventory with said court of said estate, and render an account at least once in two years, or oftener if required by said court.

Distribution of estate.

3. Distribution of said estate may be made under the direction of said court after seven years from the appointment of said trustee or trustees, or sooner if the death of such absent person shall be established by evidence satisfactory to said court; *provided*, that upon the return of such person so being absent before the distribution as aforesaid, such trustee or trustees shall render an account and restore to him or her said estate after deducting reasonable expenses of said trust, and compensation of said trustees.

Proviso.

4. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 325.

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:*

Open season for certain game.

1. It shall be unlawful to capture, kill, injure or destroy, or have in possession, any quail, rabbit, squirrel, English or ring-neck pheasant, ruffed grouse, prairie chicken, wild turkey or Hungarian partridge in any of the counties of this State, excepting only between the first day of November and the thirty-first day of December, both dates inclusive, under a penalty of twenty dollars for each quail, rabbit, squirrel, English or ring-neck pheasant, ruffed grouse, prairie chicken, wild turkey or Hungarian partridge so captured, killed, injured, destroyed or had in possession, or to capture, kill, injure, destroy or have in possession any woodcock, except from the fifteenth day of October to the thirty-first day of December in each year, both dates inclusive, under a penalty of twenty dollars for each woodcock captured, killed, injured, destroyed or had in possession.

Penalty.

Season for woodcock.

Penalty.

Other penalties.

2. Any person who shall, during the period between October fifteenth and November first in any year, unlawfully take or kill, or have in possession any birds, animals or fowl (except woodcock), the killing of which is prohibited, shall be liable to a penalty of one hundred dollars for each bird, animal or fowl unlawfully taken, killed or had in possession. One-half of said penalty to be paid to any person other than a salaried warden furnishing proof of the unlawful taking, killing or having in possession of any of the birds, animals or fowl (except woodcock) sufficient to secure a con-

Division of penalty.

viction. Said amount to be paid by the magistrate before whom the same was recovered and the balance forwarded to the Board of Fish and Game Commissioners.

Act how enforced.

3. This act shall be enforced by the persons authorized and in accordance with the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the amendments thereof and supplements thereto.

Repealer.

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

Approved April 1, 1912.

CHAPTER 326.

An Act for validating sales of land, and defective advertisements of the time and hour of such sales of land, under public statute or by virtue of any judicial proceedings.

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

Validating sales of lands.

1. All sales of land under a public statute, or by virtue of any judicial proceedings, heretofore advertised, which are required to be confirmed by an order or decree of any court of record in this State, shall be valid and shall be confirmed by the court, notwithstanding any defect or irregularity in appointing therein the time or hour of such sale, and the purchaser or purchasers of such lands, tenements, hereditaments or real estate, upon receiving his or her deed therefor, and his or her heirs and assigns, shall be deemed to have as good and complete title thereto as if said time had been appointed between the hours of twelve and five in the afternoon, as heretofore provided by statute.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 327.

An Act to authorize the establishment by counties of the first class in this State of parental schools, to provide for the procuring of lands to be used in connection therewith, and to purchase, erect or construct such schools, and to provide for the government of the same.

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

Trustees of parental school appointed by court.

1. The judge or judges of the Court of Common Pleas in any county of the first class of this State, whenever in their judgment it shall be necessary or proper shall so certify to the board of chosen freeholders and upon their approval of the need, the said judge or judges may appoint five persons, at least one of whom shall be a woman, who, together with such judge or judges, ex-officio, shall constitute a board to be known as the Board of Trustees of the Parental School of the County of ; such appointees shall be formally approved by the board of chosen freeholders of such county before they enter upon the discharge of their duties as such. They shall hold office for three years and until their successors are appointed. They shall receive no compensation whatsoever.

Number.

Term.

Acquire land and erect buildings.

2. Such board of trustees when organized shall have power to acquire lands and erect thereon a building or buildings suitable for the detention of all persons, male or female, under the age of eighteen years who may have been adjudged juvenile delinquents by the courts for the trial of juvenile offenders, or who may have been convicted of violating any criminal statute, or who may be detained as a witness in any pending criminal prosecution, or who may be under commitment for appearance in the Juvenile Court pending final hearing of any pending cause.

Purpose.

Selection of land.

3. The said board of trustees in selecting the site for such building may select, with the approval of the board of chosen freeholders, land which may be owned by the county and not already devoted to other purposes inconsistent with the purpose of this act. Should the said board, however select lands not owned by the county, they may acquire the same by gift, purchase, or condemnation; in case of condemnation either party may appeal from the award of the commissioners. The said board of trustees may also appoint such architect or engineers or both as in their judgment may be proper to prepare plans and specifications for and to supervise the erection of such building or buildings.

Plans and specifications.

Master, teachers, etc.

4. Upon the completion of such buildings, the said board of trustees shall have power to appoint two suitable persons who shall be known as master and matron of such school; said board shall also have power to appoint such other suitable persons or teachers and attendants as, in their judgment, may be necessary and proper, and may fix the compensation to be paid to all the employes of said board; *provided, however,* that the compensation so fixed shall be approved by the board of chosen freeholders.

Proviso.

Terms.

All such appointees shall hold their offices, or position at the pleasure of said board of trustees.

Qualifications.

No person shall be appointed as a teacher in such school except such as shall have a teacher's certificate equal or superior in rank to a first grade county certificate.

Rules.

Said board of trustees shall also make such rules as may be necessary and proper for the conduct and management of such school and for the care of the inmates thereof, and prescribe the duties and powers of the employes connected therewith.

Intention of act.

5. Said school shall be the place of detention for all persons under the age of eighteen years who come within the class mentioned in the second paragraph of this act; but nothing herein contained shall alter or in anywise prevent imprisonment in the State prisons, county penitentiary, or in reformatories or other institutions of this State; nor shall anything herein con-

tained prevent commitment to the care of probation officers under existing law, or laws which may hereafter be passed inflicting such penalties.

Appropriation.

6. The moneys for the acquisition of lands and the erection of buildings shall be approved as to the amount of the expenditure by the board of chosen freeholders and shall then be provided by the board of chosen freeholders upon the requisition of the board of trustees herein provided for; but the amount required and to be so provided shall not exceed the sum of seventy-five thousand dollars. If the said board of chosen freeholders shall deem the amount required for such purposes to be too great to be placed in the annual appropriation for the then fiscal year, such moneys may be raised by an issue of bonds to an amount not to exceed seventy-five thousand dollars. Such bonds may be issued for a term not to exceed fifty years, may bear interest at a rate to be determined by said board of chosen freeholders, may be either a coupon or registered bond, and may be sold at public or private sale, but in no case for less than their par value; in the annual appropriation thereafter the said board of chosen freeholders shall provide for the payment of the interest thereon, and shall also provide for a sinking fund which will be sufficient to pay and discharge such bonds at maturity. The moneys necessary for the management of such school and the improvement, betterment, repairs and other necessary expenses incident thereto shall be provided each year by the board of chosen freeholders in their annual tax budget, upon the requisition of the said board of trustees; *provided, however,* that said board of chosen freeholders shall have the right to determine the amount required for such purposes.

Bonds may issue.

Time.

Rate.

Sinking fund.

Annual provision for money.

Proviso.

If family able, to contribute toward support.

7. Whenever a person shall be committed to said school the judge making the adjudication shall make inquiry into the family conditions and circumstances surrounding the delinquent; if, in his opinion, the parents of such delinquents are of sufficient ability to maintain him, the judge may include in the order of commitment an order requiring the parents of such de-

linquent to pay to the county such sum toward the suport, maintenance and clothing of such delinquent, as in the discretion of said judge may be proper. The order for such payment may be enforced by attachment as for a contempt of the said court.

Any existing arrangements put under care of parental board.

8. If at the time of the organization of the board provided for by this act there shall be in existence in any county of the first class of this State, in any county building or institution established for the purpose, or if there shall be in course of construction any such building or institution at said time in any county of the first class of this State which said building or institution shall be intended to be the place of detention for such persons as are mentioned in the second paragraph of this act, such building or institution shall be forthwith placed under the management and control of said board of trustees, and the right and authority of any other person or persons to exercise the control and management thereof shall forthwith cease and determine.

Purpose of act.

9. The purpose of this act is hereby declared to be to provide for the education and for the moral and intellectual improvement of the classes of persons mentioned in the second paragraph hereto. In preparing the courses of study to be followed in said school, the said board of trustees shall pay special attention to courses in industrial training and in agriculture.

Repealer.

10. All laws inconsistent with the provisions of this act, be and the same are hereby repealed.

11. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 328.

An Act to encourage the propagation of certain kinds of game within the State of New Jersey and providing a license therefor.

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

1. Any person desiring to engage in the business of raising and selling domesticated English ring-necked, Mongolian and other pheasants, mallard and black ducks and deer, or any of them in a wholly enclosed preserve of which he is the owner or lessee, may make application in writing to the Board of Fish and Game Commissioners for a license so to do. The Board of Fish and Game Commissioners, when it shall appear that such application is made in good faith, shall, upon the payment of a fee of twenty-five dollars, issued to such applicant a breeder's license permitting such applicant to breed and raise domesticated English ring-necked, Mongolian and other pheasants, mallard and black ducks and deer or any of them in confinement in such wholly enclosed preserve the location of which shall be stated in such license, and to sell the same and ship from the State alive at any time for breeding or stocking purposes, and to kill the same and sell the carcasses for food as hereinafter prescribed; *provided, however,* that no licensee shall ship any of the said birds or deer from this State alive until after he or she has first offered said birds or deer to the Board of Fish and Game Commissioners of this State at a reasonable price, which price shall not exceed the price at which such licensee shall offer for sale such birds or deer in any place outside this State. No deer shall be shipped alive out of this State before such licensee shall have paid to said Board an additional fee of five dollars for each deer, shipped alive out of this State. Any person to whom such a license shall have

License to raise certain game.

License fee.

Proviso.

Shipping live deer.

Right to kill the game.

been issued as aforesaid may kill by shooting or in any other manner any such birds or deer, bred or raised in such preserve at any time between the first day of October and the tenth day of January, both inclusive, and sell the same for food, provided that such birds or deer have not been previously released from confinement in such preserve, but no such birds or deer shall be sold for food unless killed in the presence of a fish and game warden, nor unless each bird or deer shall have been tagged at the time of such killing by such fish and game warden, with a suitable tag or seal which shall be supplied by the Board of Fish and Game Commissioners.

Sale of.

When salable.

Pheasants, mallard and black ducks and deer so killed and tagged may be possessed, sold or offered for sale only between October first and March first of the following year, both inclusive.

Report of killing.

Every fish and game warden in whose presence any such birds shall have been killed shall within five days thereafter make and file with the Board of Fish and Game Commissioners a written report thereof, which shall contain a statement of the name of the person by whom such birds or deer were bred or raised and killed, the number and kind of birds or deer so killed, and the name of the person or persons to whom such birds or deer were sold, or to whom they were transported.

Transportation of game.

Common carriers shall receive and transport pheasants, mallard and black ducks, and deer tagged as aforesaid, but to every package containing any such birds or deer shall be affixed a tag or label upon which shall be plainly printed or written the name of the person to whom such license was issued and by whom such birds or deer were killed, the name or names of the person or persons to whom such birds or deer are to be transported, the name of the fish and game warden in whose presence such birds or deer were killed, the number of each kind contained therein, and that the same were killed and tagged in accordance with the provisions of this section; *provided,* that the Board of Fish and Game Commissioners shall issue permits without cost to persons desiring to keep game birds and animals in captivity during the winter months for the purpose of caring for and feed-

Proviso.

ing the same, such game to be released within this State not later than April first in each year.

Who may sell game.

2. No person other than a breeder licensed under section one of this act shall sell or offer for sale any pheasants, mallard and black ducks or deer killed and tagged as aforesaid without first obtaining a permit so to do from the Board of Fish and Game Commissioners, upon such terms and conditions as the Board of Fish and Game Commissioners may prescribe, and any such permit may be revoked at the pleasure of the Board of Fish and Game Commissioners. Every such permit shall expire on March fifteenth of each year.

Permit.

Tags to remain affixed.

3. The said tags or seals shall remain affixed as aforesaid until the carcasses of such birds or deer shall have been entirely consumed, and the sale of any portion of a bird or deer which shall not at the time have affixed thereto the tag or seal aforesaid shall constitute a violation of this act, *provided, nevertheless,* that the keeper of a hotel, restaurant or boarding house, a retail dealer in meat or a club may sell a portion of a bird or deer so tagged to a guest, customer or member for consumption.

Proviso.

Report to game commission.

4. On or before the fifteenth day of April of each year, every person to whom a license shall have been issued as aforesaid shall make a report to the Fish and Game Commissioners which shall state the total number of pheasants, mallard and black ducks and deer killed and sold or transported between the first day of October and the tenth day of January, both inclusive, of the preceding year, the name or names of the person or persons to whom such pheasants, mallard or black ducks or deer were sold or transported, and the name of the fish and game warden in whose presence said birds were killed, and such report shall be verified by the affidavit of the person to whom such license was issued, or if the license was issued to a corporation by an officer thereof.

When license may be canceled.

5. If any person to whom any such license shall have been issued shall be convicted of a violation of the fish and game laws, the Fish and Game Commissioners may cancel the license of such person and thereafter no similar license shall be issued to such person or corporation.

Penalty.

6. Any person violating any of the provisions of this act shall be liable to a penalty of twenty dollars for each offense.

Enforcement of act.

7. This act shall be enforced in accordance with the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violation thereof," approved March twenty-ninth, eighteen hundred and ninety-seven.

Repealer.

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

Approved April 1, 1912.

CHAPTER 329.

An Act to create adjunct State forest reserves by acquiring rights of public use in fresh water lakes and ponds and exempting the same from taxation.

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

Owners may propose use of waters for boating and fishing.

1. Any owner or owners of a fresh water lake or pond which is subject to acquisition by the State, as provided by "A further supplement to an act entitled 'An act for the establishment of forest park reservations by and in the State of New Jersey, and for the appointment of a State Board of Forest Park Reservation Commissioners, and defining its powers and duties;' approved March twenty-second, one thousand nine hundred and five," the same having been approved May eighth, one thousand nine hundred and seven, may propose an agreement with the Forest Park Reservation Commission by which he or they shall retain title to the property, but grant to the citizens of the State access to and the free use of the waters of such lake or pond for boating and fishing; *provided,* that a reason-

Proviso.

able charge may be made for the use of boats belonging to the owner or owners of the said lake or pond. If, after making an investigation, the State Board of Forest Park Reservation Commissioners shall be satisfied that the public interest will be as well served by the freedom to use the lake or pond for boating and fishing, as it would be if the property were conveyed to the State, the said Board of Forest Park Reservation Commissioners shall enter into an agreement with the owner or owners of said pond or lake, which agreement shall provide that in consideration of the free use by the public of the waters of said lake or pond for boating and fishing, the property shall be exempt from taxation so long as the agreement remains in force, the same as it would be if the State acquired title thereto.

Agreement with State.

Tax exemption.

2. As a preliminary to the agreement provided for in section one of this act, the Forest Park Reservation Commission shall require that the waters of said lake or pond be actually made free to all citizens for a period of at least six months and notices thereof conspicuously posted on the shores of the said lake or pond. It shall also require a covenant that the lake or pond will not be closed to the public without notice given to the Forest Park Reservation Commission and by signs posted at least six months in advance of such intended closing. When the Forest Park Reservation Commission shall be satisfied that the waters of the said lake or pond are actually free for the use of the public, subject to the provision made in section one of this act, it shall certify to the assessor of the township or other municipality in which the said lake or pond is taxable, that by virtue of the agreement made between the owner and the Forest Park Reservation Commission, the property has become an adjunct State forest reserve and by the provisions of this act is exempt from taxation.

Requirements.

Assessor notified.

3. The Forest Park Reservation Commission shall have power to make reasonable and proper regulations for the use of adjunct forest reserves hereby created,

Rules and regulations.

and shall exercise the same powers over them as it now does over the State forest reserves established by law.

Water-power not included.

4. Nothing in this act shall warrant the owner or owners of a pond or lake used solely or chiefly as a source of water-power for a mill or factory in active operation to apply for exemption of taxes.

5. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 330.

An Act to amend an act entitled "An act to authorize boards of chosen freeholders to lay out, open, widen, straighten, alter, change the grade or location of or otherwise improve any public highway under their control and for that purpose to acquire lands by gift, purchase or condemnation, and to vacate any part of said public highway that may be rendered unnecessary for public travel by the widening, straightening, altering or changing of location of said public highway or any part thereof," approved April thirteenth, nineteen hundred and eight.

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

Section 1 amended.

1. Section one of the act entitled "An act to authorize boards of chosen freeholders to lay out, open, widen, straighten, alter, change the grade or location of or otherwise improve any public highway under their control and for that purpose to acquire lands by gift, purchase or condemnation, and to vacate any part of said public highway that may be rendered unnecessary for public travel by the widening, straightening, altering or changing of location of said public highway or any part thereof," approved April thirteenth, nineteen hundred

and eight, be and the same is hereby amended so as to read as follows:

Freeholders may acquire lands for improvement of highways.

1. The board of chosen freeholders of any county in this State shall have power to lay out, open, widen, straighten, alter, change the grade or location of or otherwise improve any public highway under its control, or any part thereof, and to vacate any part of said public highway that may be rendered unnecessary for public travel by the widening, straightening, altering or changing of location of said highway or any part thereof, and to cause a map to be made and filed in the office of the clerk of the county, showing the proposed laying out, opening, widening, straightening, altering, change of grade or location and vacation of any such highway or part thereof, and after such map shall be made and filed as aforesaid, it shall be lawful for said board to acquire by gift or purchase in its corporate name any real estate in the county that may be necessary for that purpose, and in case such board and the owner of any real estate required for such purpose cannot agree upon the price or terms of sale thereof, whether by disagreement as to the price or the legal incapacity or absence of the owner, or his inability to convey valid title, or by reason of any other cause whatsoever, it shall be lawful for one of the justices of the Supreme Court or a Circuit Court judge on application in writing made by or on behalf of such board and verified by the oath of the engineer or agent of the board, and filed in the office of the clerk of said county, setting forth a particular description of the land and property required, and the names and residences, if the same can be ascertained, of the owners and occupants, if any there be, and of the persons appearing of record to have any interest in said land and property, to appoint three disinterested freeholders as commissioners to fix the compensation to be paid for such land and property.

Commissioners to fix compensation.

Repealer.

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

Approved April 1, 1912.

New Jersey State Library

CHAPTER 331.

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, and by such supplement authorizing cities which have adopted or which may hereafter adopt the act to which this is a supplement to provide regulations for operating cinematographs, moving picture machines and other similar apparatus and for the examination and licensing of operators thereof.

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

Regulating use of moving picture films.

1. Every city of this State which has adopted or which may hereafter adopt the act to which this is a supplement shall have power by ordinance to provide regulations for operating cinematographs or moving picture machines and other similar apparatus, involving the use of a combustible film more than ten inches in length, and any such city shall have power by ordinance to provide for and require examination by such official of said city as the governing body thereof shall select, of any and all persons over eighteen years of age desiring to act as operators of such machines and to authorize such official to issue a license annually to such person or persons as shall successfully pass an examination conducted under rules and regulations to be approved by the governing body of any such city. Such ordinance may provide for a fee to be paid by every person to whom a license or renewal shall be issued and a penalty for operating any such machine without having such license therefor and for violation of other terms and provisions of such ordinance, in any amount not exceeding fifty dollars for each offense or imprison-

Operators.

License fee.

ment not exceeding thirty days in default of the payment of such fine. Penalty.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 332.

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:*

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

13. The following positions shall be included in the exempt class: Exempt class.

(1) The deputy or first assistant of principal executive officers authorized by law to act generally for and in the place of his principal;

(2) The legal assistants of the law department of the State, and of the municipalities adopting the provisions of this act, and in the offices of prosecuting attorneys to the number actually engaged in trial or appeal work and appearing in the courts;

(3) One secretary or clerk of each department, appointed board and commission authorized by law to appoint a secretary or clerk.

(4) One private secretary or clerk, or stenographer, of each judge or each principal executive officer;

(5) All officials of State and county institutions who must of necessity be physicians.

(6) In addition to the above there may be included in the exempt class all other offices or positions, except laborers, for the filling of which competitive or non-competitive examinations shall be found by the civil service commission to be impracticable. But no office or position shall be deemed to be in the exempt class unless it is specially named in such class in the rules, and the reasons for each such exemption shall be stated separately in the annual reports of the said commission. Not more than one appointment shall be made to or under the title of any such office or position unless a different number is specifically mentioned in the rules. After six months from the date of the approval of this act, or forty-five days after the date of its adoption by any municipality of this State, no office or position shall be classified by the commission in the exempt class except after public hearing by the commission or any member thereof. Suitable public notice of such hearings shall be given by the said commission. At any such hearing any citizen of this State shall have the right to be heard, either in person or by counsel, either in opposition to or in favor of the proposed exemption. Appointments in the exempt class may be made without examination.

As to additional positions in exempt class; hearings.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 333.

An Act concerning the annexation of part of one town or township to another municipality and also the creation of new municipalities from such town or township or part thereof and relating to the tenure of office and salary of police officers in the territory so annexed or created.

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

Police in annexed territory to continue.

1. Whenever part of a town or township shall be annexed to or consolidated with any other municipality

of this State by or pursuant to any general, local or special law, all police officers living in any territory so annexed to another municipality who shall have been members of the police force of such town or township for at least one year, shall thereby become police officers of the municipality to which such territory is annexed, and shall thereafter be paid by such municipality and shall be subject to all the rules and regulations thereof affecting the police, and the salary and tenure of office of such police officers shall remain the same as they were at the time of such annexation.

In creation of municipality police to continue.

2. Whenever any town or township, or any part thereof, is created a city, town, borough, village or other municipality, by or pursuant to any general, local or special law, the members of the police force residing in such town or township or residing in that part thereof so created a new municipality, shall thereby become members of the police force of such newly-created municipality and shall thereafter be paid by such new municipality and shall be subject to all the rules and regulations thereof affecting the police, and the salary and tenure of office of such police officers shall remain the same as they were at the time of the creation of such new municipality, *provided, however,* that such police officers shall have been members of the police force of such town or township for at least one year.

Proviso.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 334.

A Supplement to an act entitled "An act to constitute commissioners of county sinking funds," approved June second, one thousand eight hundred and ninety-six.

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

Bond of county sinking fund commissioners.

1. The said commissioners shall severally enter into bonds to the board of chosen freeholders of the county

in such sums and with such sureties as shall be approved by the board of chosen freeholders of their county, which bonds the said board, from time to time, as in its judgment shall be necessary, may require to be replaced by bonds in greater amounts and with additional or other sureties.

Investments.

2. All funds and moneys coming to the hands of the said commissioners shall be invested by them in bonds of the several school districts of this State, or in the bonds of the United States or of this State, or in the bonds of any county, city, incorporated town, township or borough of this State, the total indebtedness of which shall not exceed in the aggregate fifteen per centum of the total assessable valuation of all taxable property therein.

Repealer.

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

Approved April 1, 1912.

CHAPTER 335.

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 22 amended.

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

Taking game from State.

22. It shall be unlawful to remove or attempt to remove from this State any quail, ruffed grouse (commonly known as partridge), pinnated grouse, wood-

cock, hare, rabbit, squirrel, English or ring-neck pheasants, Hungarian partridge, or any duck, goose, brant or other water wild fowl; *provided, however,* that this section shall not apply to common carriers carrying from beyond the confines of this State in unbroken packages to some point beyond the confines of the State such quail, ruffed grouse (commonly called partridge), pinnated grouse, woodcock, hare, rabbit, squirrel, English or ring-neck pheasant, Hungarian partridge, or duck, goose, brant or water wild fowl. Any person guilty of any violation of this section shall be liable to a penalty of twenty dollars for every quail, ruffed grouse (commonly known as partridge), pinnated grouse, woodcock, hare, rabbit, squirrel, English or ring-neck pheasant, Hungarian partridge, or duck, goose, brant or water wild fowl removed or sought to be removed; *provided, however,* that this section shall not apply to English or ring-neck pheasants, mallard and black ducks raised on game preserves, the owners or lessees of which are duly licensed by the Board of Fish and Game Commissioners.

Proviso.

Penalty.

Proviso.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 336.

An Act to provide tuition for the higher education of the blind.

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

1. Whenever any blind person, who is a citizen of this State, desires to attend any college, university, technical school or professional school, authorized by law to grant degrees, other than an institution established for the regular instruction of the blind, shall make application for such purpose to the Commissioner

Apply for admission to institutions for higher education.

of Education, and be designated by him as a fit person to be received and accepted as a student in any of such institutions, such applicant shall thereupon be entitled to have the aid and assistance hereinafter provided for;

Proviso.

provided, that such blind person shall also prove to the satisfaction of said commission that he is financially unable to defray the expense, or any part thereof, hereinafter specified.

Appropriation to asssit students.

2. There shall be paid by the State for the use of such student a sum not to exceed two hundred dollars ($200) per annum, with which to defray the fee charged by any such institution, and also the further sum of three hundred dollars ($300) per annum with which to employ a person or persons to read to such student from text-books and pamphlets which shall be necessary for such student to use in connection with the pursuit of his or her studies at the college, university, or school where he or she shall be matriculated.

Instruction confined to State.

3. It shall be necessary in every case for any such student to receive his or her tuition from a college, university, technical school or professional school, established and located within the State of New Jersey.

Payments.

4. Any moneys to be paid under the authority of this act shall be paid quarterly, after the beginning of the school year of any college, university, technical or other school, where any blind student shall be matriculated, by the Treasurer of the State, on the warrant of the Comptroller to the treasurer of any such college, university, technical or other school, upon his presenting an account showing the actual number of blind students matriculated and attending the institution of which he is treasurer, which account shall be verified by the president of any such institution.

Quarterly reports by institutions.

5. It shall be necessary for every college, university, technical or other school in which any blind student is matriculated to furnish to the Commissioner of Education a quarterly report showing the progress or status of every such blind student matriculated in such college, university, technical or other school, and in the event that any of said reports shall disclose the fact that any student is unable to keep up with his or her

studies and acquire the education provided for by any such college, university, technical or other school, or that of any such students are not taking advantage of the opportunities provided for him or her by the terms of this act, then in every such case, if it shall be the judgment of the Commissioner of Education that the aid and assistance offered and provided by this act shall be denied and withdrawn from any such student, then the same, on the recommendation and certificate of said Commissioner of Education, shall be withdrawn from any such student, and the college, university, technical or other school in which any such student is entered or matriculated, shall be notified by the State Comptroller of every such action.

Right to withdraw student.

6. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 337.

An Act to provide for the destruction of woodchucks and the payment of premiums therefor.

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

1. For the benefit of agriculture and the protection of crops and property within this State, there are hereby established the following provisions for the destruction of woodchucks, familarly known as groundhogs, and the payment of premiums therefor by the respective counties in which the same are slain.

Destruction of woodchucks.

2. It shall be the duty of any person, having killed any woodchuck, familarly known as groundhog, within this State, who is desirous of availing himself of the premiums herein provided, to produce such slain animal before any justice of the peace of said county in which the same was killed, and make affidavit of the

Affidavit of killing.

Proviso.

time and place of killing the same; *provided,* that the pelt, if entire from the tip of the nose of any such animal, may be produced in lieu of such animal, when so preferred; and upon the production of any such animal, or pelt, it shall be the duty of said officer, in the presence of said person killing such animal, and one qualified voter of said county, to cut off the ears of such animal, and, in the presence of said persons, burn the same.

Ears to be cut off.

Certificate of compliance to issue.

3. Upon the destruction of said ears, said officers shall give to the person producing such animal or pelt, a certificate of compliance with the provisions of this act, directed to the board of chosen freeholders of the county in which such animal was slain, which certificate shall contain the following facts: The kind of animal and when, where and by whom killed, and the date, by whom and in the presence of what qualified voter the ears of such animal were destroyed; and the residences of the person killing said animal and of said voter, and, upon production and surrender of such certificate, the said board shall pay out of the county funds to the person killing said animal a sum to be fixed by the board of chosen freeholders of said county not exceeding fifty cents for each animal; and it shall be the further duty of said officer taking the affidavit provided for in the second section of this act to file the same forthwith, or cause the same to be filed in the office of the county collector of the county; and upon filing the same the said officer shall receive from the funds of the county the sum of twenty-five cents in full for all his services under this act; *provided, however,* that this act shall not apply to any county of this State where the board of chosen freeholders of said county, by a two-thirds vote of all its members, shall pass a resolution that this act is not for the best interest of the people of the county they represent.

Facts set out.

Fees to be paid.

Proviso.

Penalty for fraud.

4. If any person shall wilfully and fraudulently collect any premium or premiums provided in this act, or shall aid, abet or assist in any official capacity, or otherwise in the same, he, she or they shall be guilty of a misdemeanor, and upon conviction thereof, shall be

sentenced to pay a fine of not exceeding five hundred dollars and undergo an imprisonment in the county jail of the proper county not exceeding one year, or both, or either, at the discretion of the court.

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.

Approved April 1, 1912.

CHAPTER 338.

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:*

False statement to procure liquor. disorderly conduct.

1. Any minor under the age of twenty-one years who, representing himself by a written statement as hereinafter provided to be twenty-one years of age or over, shall obtain or procure from the keeper of any licensed inn or tavern, beer shop or liquor saloon, or from any person, firm, corporation or club, licensed to sell intoxicating liquors, his, her or their agents or servants, whether by purchase, gift or otherwise, any whiskey, beer or other intoxicating liquor of any kind or character; shall be deemed and adjudged to be a disorderly person. The written statement hereinabove referred to shall be a statement of the name, the age at the last preceding birthday and the full address of the person so representing himself to be of the age of twenty-one years, and shall be signed by the said minor and witnessed by at least one person other than the person selling the liquor in question or a person connected by family or business relation with the pro-

Nature of statement.

prietor or any employe of the establishment where said liquor is sold, and the production in evidence of said written statement shall be a prerequisite to a conviction under this act.

Copy of act posted

2. Every keeper of a licensed inn or tavern, beer shop or liquor saloon, and every person, firm, corporation or club licensed to sell intoxicating liquors, shall provide and cause to be kept posted in a conspicuous place in his, her or their bar room or place where such intoxicating liquors are sold a copy of this act; and every such keeper or person licensed to sell intoxicating liquors, or the agent or servant of a corporation or club licensed to sell intoxicating liquors who shall be in charge of the bar room or place of such corporation or club where such intoxicating liquors are sold, who shall violate the provisions of this section shall be deemed and adjudged to be a disorderly person.

Approved April 1, 1912.

CHAPTER 339.

An Act to amend an act entitled "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," approved April eleventh, one thousand nine hundred and ten.

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

Section 1 amended.

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

Time for operating street railway not changed by relocating track.

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, or public park, to another part of such street or highway, or public park, 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 or public park purposes, to a new location within the lines of a public highway, or within the boundaries of such public park, at the request of the board or boards, body or bodies charged with the maintenance and repair of the street or highway, or public park, on or through 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 1, 1912.

CHAPTER 340.

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:*

School board in town districts.

In every incorporated town school district which has, or shall hereafter have, according to any State or United States census, a population of ten thousand or over, and which has not adopted the provisions of article

six of the act to which this is a supplement, the mayor or other chief executive officer shall, between the second and fifteenth days of January, next after the passage of this act, appoint five persons to be members of the board of education of such district. In making his appointments, the mayor or other chief executive officer shall appoint one person to serve for one year, one person to serve for two years, one person to serve for three years, one person to serve for four years, and one person to serve for five years, and annually thereafter, between the second and fifteenth days of January, the said mayor or other chief executive officer of such school district shall appoint a member of the said board of education to serve for the term of five years to take the place of that member whose term shall expire in such year. Any vacancy in such board of education shall be forthwith reported by the Secretary of said board to the mayor or other chief executive officer, who shall within thirty days thereafter appoint a person to fill such vacancy for the unexpired term. To every such appointee as aforesaid, said mayor or other chief executive officer shall issue and deliver a certificate of appointment. The term of office of a member of the board of education, except a member appointed to fill an unexpired term, shall begin on the first day of February next succeeding his appointment.

Appointment.

Terms.

Vacancies.

When terms begin.

2. The terms of office of all members of boards of education in said districts which are affected by this act shall expire on the thirty-first day of January next after the passage of this act.

Expiration of present boards.

Approved April 1, 1912.

CHAPTER 341.

An Act requiring members of public bodies, or the commission or committee having charge of the erection and completion of public buildings to enter into bonds before entering upon the duties of their office.

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

Commissions on public buildings to give bonds.

1. Whenever any public body of any county, city, town, township, borough or village, of this State, or any commission or committee, shall have charge of the erection and completion of any public building or buildings, the members of such body or commission or committee having charge of such work, before entering upon the duties of their office, shall each enter into a bond to the public corporation for which such building is to be erected, in such sum, and with such sureties as shall or may be required by the justice of the Supreme Court holding the Circuit Court in the county within which such building is to be erected, said bond to be approved as to form and sufficiency by the said justice of the Supreme Court.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 342.

An Act relating to expenditures by public county, city, town, township, borough and village bodies.

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

Advertisements to be made or contract not valid.

1. Where and whenever hereafter it shall be lawful and desirable for a public body in any county, city,

town, township, borough or village to let contracts or agreements for the doing of any work or for the furnishing of any materials or labor, where the sum to be expended exceeds the sum of five hundred dollars, the action of any such public body entering into such agreement or contract, or giving any order for the doing of any work or for the furnishing of any materials or labor, or for any such expenditures, shall be invalid unless such public body shall first publicly advertise for bids therefor, and shall award said contract for the doing of said work or the furnishing of such materials or labor to the lowest responsible bidder; *provided, however*, that said public body may, nevertheless, reject any and all bids.

Proviso.

Publication.

2. Such advertisement shall be published for two weeks in at least two daily or weekly newspapers of the county wherein such work is to be done.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 343.

An Act to authorize cities of the first class in this State to erect and acquire new or additional market buildings and market facilities, and to acquire lands therefor by purchase or condemnation.

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

Provision for additional market facilities.

1. Whenever, in the judgment of the common council, or of the board or body having control of the finances of any city of the first class in this State, new market buildings and market facilities, or additional market buildings or market facilities, may be required for public use, said common council, or other board or body having control of the finances of such city, may, by resolution, provide for the erection of such new

buildings and for acquiring such new market facilities, or for additional market buildings and market facilities. Such buildings shall be erected and such market facilities acquired by and under the direction of the common council or other board or body having control of the finances of such city.

Acquistion of land.

2. Where any such city then owns lands devoted to or suitable for market purposes upon which it is proposed to erect said new buildings or additional buildings, and in the judgment of the common council, or other board or body having control of the finances of the city, additional and adjoining lands are needed for such buildings or for increased market facilities, it shall be lawful for the common council, or other board or body having control of the finances of such city, to acquire such additional and adjoining lands by purchase, or, if suitable lands cannot be purchased by agreement with the owner or owners, or, if the price demanded for the lands is, in the judgment of the common council, or other board or body having control of the finances of such city, excessive and more than the fair market value thereof, the common council, or other board or body having control of the finances of such city, shall have power to take and acquire such lands for such public uses by condemnation.

Bond issue.

3. The common council, or other board or body having control of the finances of such city, may provide the moneys necessary for such purposes, or any of them, either by providing for the same in the tax levy, or by the issue of the bonds of such city, which bonds shall be of such denomination and made payable within such time, not less than ten years, and shall bear such rate of interest, not exceeding five per centum per annum, as the common council, or other board or body having control of the finances of such city, shall, by resolution, provide. Such bonds shall be either coupon or registered bonds, or both, and may be negotiated and sold, at not less than their par value, at either public or private sale, as the common council, or other board or body having control of the finances of such city, shall, by resolution, provide. They shall be designated and denominated "Market Bonds."

Time; rate.

Name.

Use of revenues.

4. The net revenues from all lands and buildings used for market purposes in any such city shall be devoted to the payment of the interest which may accrue upon said bonds and any other outstanding market bonds of such city, and to a sinking fund for the redemption and payment of the bonds authorized by this act, when due, and all other outstanding market bonds of such city, if any, and shall annually be paid over to the sinking fund commissioners of said city for such purposes. If, at any time, it shall satisfactorily appear in the judgment of the sinking fund commissioners that the said net revenues are more than sufficient to pay the annual interest on all bonds issued under this act and all other than outstanding market bonds, if any, and to provide a suitable sinking fund sufficient to meet and pay all such bonds at maturity, then only so much of said net revenues as shall be necessary and shall be designated by such commissioners shall be paid to them, and the balance of said net revenues, over and above the sum and amount designated by said commissioners, may be used for other city purposes. If it shall appear at any time that the said net revenues are insufficient to provide a fund sufficient to meet the annual interest due upon the bonds issued under this act and other outstanding market bonds of said city, if any, and to furnish a sinking fund for their payment and redemption when due, it shall be the duty of the common council, or other board or body having control of the finances of such city, to place 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 such bonds at their maturity.

If in excess of needs.

If insufficient.

Repealer.

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

Approved April 1, 1912.

CHAPTER 344.

An Act authorizing the issuing of bonds for the payment of part of the cost and expense of altering, changing or removing grade crossings in municipalities of this State.

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

Bond issue to remove grade crossings.

1. The governing body of any municipality within which a highway crosses or is crossed by a railroad, and which municipality shall have been ordered by the Board of Public Utility Commissioners of this State, pursuant to statute, to bear and pay part of the cost and expense of altering, changing or removing said crossing, are hereby authorized and empowered to issue bonds of the said municipality to pay for the whole or any part of the amount so ordered to be paid by such municipality as aforesaid; said bonds shall be payable at such time or times, not more than thirty years from the date thereof, and shall bear interest, payable at such time and at such rate, not exceeding five per centum per annum, as the said governing body may decide; said bonds shall be signed by the mayor or other chief executive officer of said municipality and by the clerk thereof and have the corporate seal thereunto affixed, and may be either registered or coupon bonds, or both; the said bonds may be disposed of at public or private sale, under such terms and conditions as the said governing body may direct, at not less than par.

Time.

Rate.

2. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 345.

An Act relating to condemnation of toll or turnpike roads, and payment for the same, and for the repair, improvement and maintenance therefor.

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

Payment of award considered evidence of right to receive State appropriation.

1. Whenever proceedings to condemn any turnpike or toll road have been or shall be instituted by any board of chosen freeholders and have resulted or shall result in an award and the amount of said award has been or shall be paid by the board of chosen freeholders instituting said proceedings to the persons entitled thereto or into the Court of Chancery as provided by law, it shall be conclusive evidence of the right of said board to receive out of the State roads appropriation the proportion of said award to be paid by the State, that said award has been paid by said board of chosen freeholders as aforesaid and that tolls have been discontinued on said road and it shall be conclusive evidence of the right of said board to receive out of the State road appropriation the present percentage (one-third) of the State's share of the cost of improving said road or such other percentage of the State's share of such cost as may hereafter be provided by law; that said improvement has been completed and has been authorized by the State Commissioner of stone roads.

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 1, 1912.

CHAPTER 346.

Supplement to an act entitled "An act to establish boards of county park commissioners and to define their powers and duties," approved May eighth, eighteen hundred and ninety-four.

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

Recreation building in county parks.

1. Every such board appointed under the provisions of this act shall have power and authority to construct and maintain in any such park located in any city of the second class a building to be known as a "recreation building," and to provide for the care, custody and control of any such building, and to make the necessary rules and regulations for the proper maintenance and operation of such building constructed under the provisions of this act and the supplements thereto.

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 April 1, 1912.

CHAPTER 347.

An Act to amend an act entitled "An act to prevent deception in the sale of oleomargarine, butterine or any imitation of dairy products, and to preserve the public health," approved March twenty-second, eighteen hundred and eighty-six.

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

Section 9 amended.

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

Penalties.

9. That every person who shall violate any of the provisions of this act shall be liable to a penalty of

fifty dollars for the first offense, and one hundred dollars for each second or subsequent offense. Payment of a penalty for any alleged violation of this act, either before or after the institution of proceedings for the collection thereof, shall, for the purpose of this act, be deemed equivalent to a conviction of the violation for which such penalty was claimed.

Not to affect previous violations.

2. This act shall take effect immediately, but shall not in any wise affect the amount of the penalty to be recovered in any proceeding to recover a penalty for a violation of the act to which this act is amendatory committed before this act became effective.

Approved April 1, 1912.

CHAPTER 348.

A Supplement to an act entitled "An act respecting the burial of the bodies of honorably discharged soldiers, sailors and marines, the marking of their graves with suitable headstones and the care and preservation of their graves," approved March twentieth, one thousand nine hundred and two.

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

Superintendent of soldiers' burials.

1. The board of chosen freeholders in each of the counties of this State may appoint some suitable person, who shall be a resident of the county, as superintendent of soldiers' burials, who shall hold office for the term of one year and until his successor shall be appointed and qualify. Such superintendent of soldiers' burials shall receive an annual salary of three hundred dollars in lieu of all fees and other compensation whatsoever, such salary to be paid by the county collector in equal monthly installments.

Salary.

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 1, 1912.

CHAPTER 349.

An Act appropriating five hundred dollars to defray the expenses of delegates from the National Guard Association of the State of New Jersey to the National Guard convention at Norfolk, Virginia, and a proper delegation from the medical corps of the State of New Jersey to the convention of Militia Surgeons at Baltimore, both of which conventions are to be held during the year nineteen hundred and twelve.

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

Appropriation for delegates to national guard conventions.

1. Five hundred dollars or as much thereof as may be necessary is hereby appropriated from the moneys in the State treasury not otherwise appropriated for the purpose of defraying the expenses, of the delegates to be sent from the National Guard Association of New Jersey to the National Guard convention at Norfolk, Virginia, in pursuance to the by-laws of the National Guard Association of the United States and of a proper delegation from the medical corps of the State of New Jersey to the convention of Militia Surgeons at Baltimore in pursuance to the rules of that body, both of which conventions are to be held during the year nineteen hundred and twelve.

Payments.

2. The moneys hereby appropriated will be allowed by the Comptroller upon the filing of verified bills by said delegates and the State Treasurer after allowance by the Comptroller is hereby authorized to draw warrants for the amounts thereof; *provided, however,* the aggregate of the amount of all said bills shall not exceed the sum of five hundred dollars.

Proviso.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 350.

An Act to repeal an act entitled "An act to enable two or more boards of chosen freeholders, jointly charged by law with the maintenance and repair of any road, when engaged in the reconstruction, rebuilding, changing the grade, or widening thereof, to keep a portion of the same in repair and construct temporary roadways in the same for the accommodadation of public travel, during such work, and to issue bonds for the payment of the same," approved January thirtieth, one thousand nine hundred and twelve.

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

Act repealed.

1. That the act entitled "An act to enable two or more boards of chosen freeholders, jointly charged by law with the maintenance and repair of any road, when engaged in the reconstruction, rebuilding, changing the grade, or widening thereof, to keep a portion of the same in repair and construct temporary roadways in the same for the accommodation of public travel, during such work, and to issue bonds for the payment of the same," approved January thirtieth, one thousand nine hundred and twelve, be and the same is hereby repealed.

Present contracts and bond issue not affected.

2. This act shall take effect immediately, but this repealer shall not operate to prevent the completion of any contract or contracts let under authority of said act, nor the issue of bonds to pay any expense incurred as in said act authorized, but such boards may complete said contract or contracts and lawfully issue the bonds as fully as if this repealer had not been passed or approved.

Approved April 1, 1912.

CHAPTER 351.

An Act to require physicians to report certain human ailments and diseases to the State Board of Health and providing penalties for its violation.

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

Certain diseases reported to State Board of Health.

1. Every physician attending upon or called in to visit a person whom he believes to be suffering from poisoning from lead, phosphorus, arsenic or mercury, or their compounds, or from anthrax, or from compressed-air illness, contracted as a result of such person's occupation or employment, shall within thirty days after his first professional attendance upon such person, send to the State Board of Health a written notice, stating the name and full post-office address, and place of employment of such person, and the nature of the occupation, and the disease or ailment from which, in the opinion of such physician, the person is suffering, with such other specific information as may be required by the State Board of Health.

Penalty for not reporting.

2. Any physician who shall fail to perform the duty imposed by section one of this act, within the time therein limited, shall be liable to a penalty of twenty-five dollars for each offense. Any penalty incurred under the provisions of this act shall be sued for and recovered in an action of debt by and in the name of the Board of Health of the State of New Jersey. All penalties collected under this act shall be paid by said board into the treasury of the State of New Jersey.

Enforcement of act.

3. It shall be the duty of the Board of Health of this State to enforce the provisions of this act, and it may call upon the local boards of health and health officers of such local boards of health for assistance. It shall be the duty of all local boards of health and all health

officers, when so called upon for such assistance, to render the same. It shall be the duty of the said Board of Health of this State to transmit any data received under the provisions of section one of this act to the Commissioner of Labor of this State.

Report to labor bureau.

Approved April 1, 1912.

CHAPTER 352.

An Act to authorize the transfer of the title to speedways in any county of this State, to the park commission of such county, and to provide for the subsequent maintenance and use thereof.

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

Park commission to maintain speedway.

1. The board of chosen freeholders in any county of this State wherein there is now laid out, constructed or maintained, or wherein there shall hereafter be laid out, constructed or maintained, a road or way called a speedway, in accordance with the provisions of an act entitled, "An act to provide for the construction and maintenance of speedways in counties of this State," approved March nineteenth, one thousand nine hundred and two, and legislation amendatory thereof and supplementary thereto may, in its discretion, by resolution, transfer the title to said speedway to the park commission of the county in which such speedway is located, in which event such park commission shall have power to maintain such speedway and prescribe the manner in which the same shall be used and maintained, or may use same for a parkway.

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 April 1, 1912.

CHAPTER 353.

An Act providing for the creation of Juvenile Courts in counties of the first class, and defining the jurisdiction and powers thereof.

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

Juvenile court.

1. In all counties of the first class of this State, there shall be constituted a separate court to be known as the "Juvenile Court of the County of (naming the county)." The judge of each of said courts shall be a counsellor at law of this State and shall be appointed by the Governor with the advice and consent of the Senate, and shall continue in office for five years from the date of such appointment, and until his successor shall have been duly appointed and qualified. Any vacancy in the office of judge of such court shall be filled for the unexpired term. The salaries of the judges of said courts shall be five thousand dollars per year, to be paid in equal monthly instalments.

Judge.

Term.

Vacancy.

Salary.

Temporary presiding judge.

2. In such counties as shall have a separate judge for such court, as herein provided, in the event of the death, sickness, disability, absence or disqualification of such judge, the judge or judges of the Court of Common Pleas in such county is or are vested with and hereby granted all the rights, powers and privileges of such court and may hold the County Juvenile Court agreeably to and as provided for in this act.

Temporary court.

3. The appointments provided for in the first section of this act shall be made by the Governor and pending the making of such appointment the judge or judges for the time being of the Court of Common Pleas of such county shall constitute the court for the trial of juvenile delinquents in and for such county; but such judge or judges shall receive no additional compensation for their services as judge or judges of such court.

Clerk of court.

4. The clerks of the respective counties shall be clerk of said courts, and all precepts, writs and processes issued out of said court shall be signed by said clerk and sealed with the seal of said court and be attested on the day the same may be issued and in the name of the judge of said court.

"Delinquent child" defined.

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

Petition setting out that child is delinquent.

6. Any person having knowledge or information that a child residing in or actually within the county is a delinquent child within the provisions of the preceding section, may file with said Juvenile Court a verified petition stating the facts that bring such child within said provisions. The petition may be upon information and belief. The title of the proceeding shall be "Juvenile Court, County of (name the proper county). In the matter of (inserting name), a child under sixteen years of age." The petition shall set forth the name and residence of the child and of the parents, if known to the petitioner, or the name and residence of the person having the guardianship, custody, control and supervision of such child, if the same be known or ascertained by the petitioner, or the petitioner shall state that they are unknown, if that be the fact.

Child brought into court.

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

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

Hearing.

8. Upon the return of the summons, or at the time set for the hearing, the court shall proceed to hear and determine the case, either in chambers or in such place as may be provided by the board of freeholders of the county in which such court is located, or such court may be held in any public school building, or in any other public building or place, in any part of the county, the official board or body having charge and control of such building consenting, and at such time and place as may be designated by the judge, or in any other place the judge may designate. The court may conduct the examination of witnesses without the assistance of counsel and may take testimony and inquire into the habits, surroundings, conditions and tendencies of said child to enable the court to render such order or judgment as shall best conserve the welfare of said child and carry out the objects of this act. The court may find that the child is a delinquent within the meaning of this act and may commit such child to any public institution established for the care, custody, instruction and reform of juvenile offenders which is maintained by the State or by the county in which said court is located, or may commit said child to any like institution maintained by any city, town, township, borough or other municipality in said county; *provided,* that said child shall reside in such city, town, township, borough or other municipality, or to any other like institution, commitment to which is now provided for by law, or the said court may

Examination of witnesses.

Finding.

Proviso.

order said child to be placed upon probation under the care of one of the probation officers of the county or some other person to be named or designated by the court, for such time and upon such conditions as the court may determine; *provided,* that where the offence charged in the petition constitutes a crime, nothing in this act shall prevent a child under the age of sixteen years from being charged upon the indictment or presentment of a grand jury, or from being accorded a trial by jury if he or she so demands at any time before trial, and if in such case said child demands the indictment or presentment of a grand jury and a trial by jury, a complaint shall be made in the usual form and sent to the clerk of the grand jury and the said child be dealt with according to the usual course of law.

Proviso.

Privacy of hearing.

The court shall have power upon the hearing of any case to exclude the general public from the room wherein said hearing is held, admitting thereto only such persons as may have a direct interest in the case, and the records of all cases may be withheld from indiscriminate public inspection in the discretion of the court, but such records shall be open to the inspection of such child, his parents or guardians, or his attorneys at all times. No adjudication under the provisions of this act shall operate as a disqualification of the child for any office under any State or municipal civil service, and such child shall not be denominated a criminal by any such adjudication, nor shall such adjudication be denominated a conviction.

As to disqualifications.

Appeals.

9. An appeal may be taken on question of law from any final order or judgment of said court, in the manner provided for appeals from the Courts of Common Pleas of the respective counties.

When cases transferred.

10. If any child under the age of sixteen years is taken before a justice of the peace, recorder, judge of a police court or other magistrate, the case shall be immediately transferred to the juvenile court, which shall proceed therein as if the child had been brought before said court in the first instance.

Co-operation of friendly interests sought.

11. The court is authorized to seek the co-operation of all societies or organizations, public or private, hav-

ing for their object the protection or aid of indigent or neglected children, to the end that the court may be assisted in every reasonable way to give to all such children the care, protection, and assistance which will conserve the welfare of such children. And it is hereby made the duty of every county, city, town, township, borough, or other municipal official or department in said county, to render such assistance and co-operation within his or its jurisdictional power to further the objects of this act; and all institutions, associations, or other custodial agencies in which any child may be, coming within the provisions of this act, are hereby required to give such information to the court or any said officers appointed by it, as said court or officers may require for the purpose of this act.

Official assistance.

12. In counties of the first class not now or hereafter having or maintaining a parental school, or school of detention, or other county institution equivalent thereto, the court may arrange with any incorporated society or association, maintaining a shelter or suitable places of detention for children in said county, for the use thereof as a shelter or temporary detention home for children coming within the provisions of this act, and may enter an order which shall be effectual for that purpose; and a reasonable sum shall be appropriated by the board of freeholders for the expenses incurred by said society or association for the care of such children. If, however, the court shall certify that a suitable arrangement for such use cannot be made, or continued, the board of freeholders may establish, equip, and maintain a home for the temporary detention of such children, separated entirely from any place of confinement of adults, to be called "the county shelter," which shall be conducted as an agency of the court for the purposes of this act and, so far as possible, shall be furnished and carried on as a family home, and shall be in charge of a superintendent and matron, who shall reside therein. The court shall have authority to appoint said superintendent, matron, and the other employees of said "county shelter" in the same manner in which probation officers are appointed under this

Arrangements may be made with children's aid societies.

Freeholders may furnish "county shelter."

Officers, etc.

act, their salaries to be fixed and paid in the same manner as the salaries of probation officers. The court may appoint as such superintendent or matron one of the probation officers, with or without additional salary. The necessary expenses incurred in maintaining said "county shelter" shall be paid by the county.

Liability for child's support.

13. Whenever any child is found to be in such condition, surroundings or under such improper or insufficient guardianship as to lead the court, in its discretion, to take the custody of said child away from its parents and place it in some institution, or under some other custodial agency, the court may, after issuing and service of an order to show cause upon the parents or other person having the duty under the law to support said child, adjudge that the expense of caring for said child by said custodial agency or institution as fixed by the court shall be paid by the person or persons bound by law to support the said child; in which event such person or persons shall be liable to pay to such custodial agency or institution and in such manner as the court may direct the money so adjudged to be payable by him or them; and wilful failure to pay said sum may be punished as a contempt of court.

Medical care.

14. Whenever a child within the jurisdiction of said court and under the provisions of this act appears to the court to be in need of medical care, a suitable order may be made for the treatment of such child in a hospital, and the expense thereof shall be a county charge; and the county may recover the said expense in a suitable action from the person or persons liable for the furnishing of necessaries for said child; and for that purpose the court may cause any such child to be examined by any health officer within the jurisdiction of the court, or by any duly licensed physician.

When child restored to parents.

15. Whenever it shall appear to the court, in the case of any neglected child or of any child in need of more suitable guardianship that has been taken from its home or the custody of its parents, that conditions have so changed that it is consistent with the public good and the welfare of said child that the parents again have the custody of said child, the court may make a suitable

order in the premises. In committing any child to any custodial agency or placing it under any guardianship other than that of its natural guardians, the court shall, as far as practicable, select as the custodial agency some individual holding the same religious belief as the parents of the said child, or some institution, or association, governed by persons of like religious faith, unless said institution is a State or municipal institution. Religious belief considered.

16. It shall be the duty of the judge of said Juvenile Court, at least once a year, to visit each institution, in which there shall be at the time any child under commitment pursuant to this act, and the managers and officers of said institution shall accord to said judge full opportunity to inspect the said institution in all its departments, to the end that the court may be advised as to the propriety of continuing the use of said institution as a custodial agency; and said judge may examine witnesses under oath within the county where said institution is located, or appoint a referee for the purpose of obtaining any information as to the efficiency and character of such institution. Annual inspection by judge.

17. Nothing herein contained shall be construed as abridging the general power and jurisdiction exercised by the Court of Chancery or Orphans' Court over the persons and estates of minors, nor as abridging the authority of the surrogate to appoint guardians for infants as now provided by law. Act how construed.

18. "An act to provide for the appointment of probation officers and to define their duties and power," approved April second, one thousand nine hundred and six, with the amendments and supplements thereto, shall be in full force and shall apply to persons brought within the jurisdiction of the respective juvenile courts so far as it may be applicable thereto, except as it is inconsistent with the provisions of this act. Act in force as far as consistent.

19. The judges of said courts may make rules not inconsistent with the provisions of this act regulating any proceedings under this act, whether initiated in said court or transferred thereto as provided in section ten of this act. The court may devise and cause to be printed for public use such forms for records and for Rules. Printed forms.

the various petitions, orders, process and other papers in the cases coming under this act as shall meet the requirements thereof; and all the expenses incurred by the court in complying with the provisions of this act shall be a county charge.

Court attendants.

20. The judge of said court shall designate not more than two constables as officers or attendants of said court, and shall fix the salaries of said officers or attendants; *provided, however,* no such officer or attendant shall receive more than twelve hundred dollars per year, payable in equal monthly instalments; *and provided further,* that the determination of the amount of such salaries shall be approved by the justice of the Supreme Court assigned to the Circuit Court in and for the county in which such juvenile court is located. Said salaries and all legally authorized expenditures incident to the administration of said court shall be paid in the manner provided for the payment of the expenses of the Court of Common Pleas.

Proviso.

Proviso.

Payment of salaries.

Service of writs and other papers.

21. Any and all writs, warrants, processes or notices of any kind required to be served on parties or witnesses in any matter pending or about to be initiated in said court shall be served by the regularly appointed police officials of any municipality, by the sheriff, by a deputy sheriff, by a constable, or by any person specially deputized by the judge of the court for such service. And any process directed to be delivered to the sheriff of the county shall be served by said sheriff in the manner and upon the conditions applicable to the service of process by said sheriff for the criminal courts of said county. No public officer or official shall be permitted to receive any extra or additional compensation by virtue of the performance of any service required to be performed by him under the provisions of this act.

Acts to be construed liberally.

22. This act shall be liberally construed and as remedial in character that the care, custody and discipline of the child shall approximate as nearly as may be that which should be given by the parents, and that, as far as practicable, any child coming under the provisions of this act shall be treated, not as a criminal, but as misdirected and in need of aid and encouragement.

Repealer.

23. All acts and parts of acts inconsistent with this

act are hereby repealed; *provided, however,* no law or laws relating to juvenile delinquents or offenders and juvenile courts, not in express conflict with the terms and provisions of this act, shall be construed to be repealed by this act; and all rights, powers and privileges now exercised and enjoyed by any Juvenile Court in this State may be so exercised and enjoyed by the judges appointed, or the courts created, under the provisions of this act, unless otherwise expressly provided herein. Proviso.

24. None of the provisions of this act shall be construed or held to repeal any of the provisions of the act entitled "An act concerning disorderly persons (Revision of 1898)," and the several supplements thereto and amendments thereof, nor "An act for the creation of the State Board of Children's Guardians and for defining their duties and powers with respect to the maintenance, care and general supervision over indigent, helpless, dependent, abandoned, friendless and poor children, now or hereafter becoming public charges of this State," approved March twenty-fourth, one thousand eight hundred and ninety-nine, and the various amendments and supplements thereto. Acts not affected.

25. If any provision or provisions of this act shall be determined to be unconstitutional, such determination shall not affect the other provisions of this act. Unconstitutionality of any part of act.

26. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 354.

An Act to regulate the practice of nursing in the State of New Jersey, to register nurses with the privilege of using the abbreviation "R. N." and to punish persons violating the provisions thereof.

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

1. Within thirty (30) days after the approval of this act the Governor shall, by and with the advice and Board to examine nurses.

consent of the Senate, appoint five (5) persons to be known as the State Board of Examiners of Nurses.

Requirements. Each member of said board shall be a resident of this State and a graduate of a training school for nurses connected with an incorporated general or private hospital requiring not less than two (2) years' training in the hospital with a systematic course of instruction in medical, surgical and obstetrical nursing and children's diseases, and shall have been engaged in nursing

Terms. for not less than five (5) years after graduation. One member of said board first appointed shall hold office for one (1) year, two for two (2) years, and two for three (3) years, or until their successors are appointed, and annually thereafter from the date of expiration of the term of office of an examiner, the Governor shall fill the vacancy for a term of three (3) years with nurses possessing the above specified qualifications.

Oath. Said appointees shall, within thirty (30) days after the receipt of their commission, take, subscribe, and file in the office of the Secretary of State, the oath or affirmation, prescribed by law. An unexpired term of an examiner caused by death, resignation or otherwise, shall be filled by the Governor in the same manner as an original appointment is made.

Officers. 2. The board of examiners shall elect a president and secretary-treasurer from its members; it shall have a common seal; it shall make and adopt all necessary rules not inconsistent with the laws of this State or of the United States, whereby to perform the duties and transact the business required under the provisions of this act.

Examinations. 3. Said board shall hold meetings for examinations at the capital of this State on the third (3d) Tuesday in June of each year, and at such other times as the board may deem expedient. The first meeting of said board shall take place the first June after the passage of this act, and at such other times as the board may deem expedient. Said board shall keep an official record of all its meetings and an official register of all applications for registration under the provisions of this act to determine the qualifications of the applicant

to practice as a "Registered Nurse," in this State. Said register shall show name, age, nativity, last and permanent place of residence and photograph of each applicant; the time he or she has spent in obtaining a competent grammar and high school education as hereinafter provided, and in study in training schools for nurses connected with hospitals, holding diploma thereof, and names and location of all such schools or examining boards which have granted said applicant any degree or certificate of registration of State examination; said register shall also show whether said applicant was examined, registered or rejected under this act and said register shall be prima facie evidence of all matters therein contained. Register kept.

4. The members of said board shall receive five dollars ($5.00) per day and their actual necessary expenses incurred in the discharge of their duties, and the secretary-treasurer shall receive an additional salary to be fixed by the board, not to exceed one hundred dollars ($100) per year. Said expenses and said salary shall be paid out of the receipts of said board as hereinafter provided, and if any surplus remain, the same shall be held by the State Treasurer for expenses of the board. Compensation of board.

5. It shall be the duty of the board to meet within sixty (60) days after their appointment and once in every year thereafter, and such other times as the board may deem expedient, for the purposes of holding examinations. Notice of such meetings shall be given to the public press and to at least one journal devoted to the interests of the nursing profession and by mail to every applicant, and to every training school in New Jersey, at least thirty (30) days prior to the meetings. Board meetings. Public notice.

At such meetings it shall be the duty of the board to examine all such applicants for registration under this act as are required to be examined, and to issue to each duly qualified applicant who shall have complied with the pertinent provisions of this act, the certificate of registration provided for in this act. Any person to whom a certificate of registration shall be issued shall, within sixty (60) days thereafter and upon the pay- Duties. Certificates to be recorded with county clerk; fee.

ment of a fee of fifty (50) cents, cause the same to be recorded with the county clerk of the county in which such person resided at the time of application. Such person shall be prepared whenever requested to exhibit such certificates of registration or a certified copy thereof.

Requirements for applicants.

Any applicant for registration who is at least twenty-one (21) years of age, of good moral character, having a grammar school certificate and one year of an approved high school or their equivalent, who shall show to the satisfaction of the board that he or she is a graduate of a training school for nurses, which gives a course of not less than two (2) years in a public or private general hospital having capacity and beds for daily treatment of twenty-five (25) patients where medical, surgical and obstetrical cases and children are treated or its equivalent as determined by the board of examiners, shall be eligible for such examination upon

Examination fee.

the payment of a fee of five dollars ($5.00), references from one practising physician or surgeon and one registered nurse, and photograph of applicant to be deposited upon the filing of the application for examination at least fifteen (15) days prior to the date of examination. The application shall be accompanied by an affidavit.

Subjects of examination.

Said examination shall include such subjects as elementary anatomy, physiology, bacteriology, materia medica, dietetics, hygiene, medical, surgical and obstetrical nursing, children's diseases and contagion.

Averages.

If such applicant shall pass such examination with a general average of seventy per centum (70%) and at least sixty per centum (60%) in each subject, the board shall issue a certificate of registration to said applicant.

Degree.

Any person who receives such certificate shall be known as a registered nurse, and shall be entitled to append the letters "R. N." to the name of such person.

Re-examinations.

Applicants who fail to pass said examinations may be re-examined at any subsequent examination without additional fee.

Certain registrations without examinations.

6. Any person who is at least twenty-one (21) years of age, of good moral character and a resident of the State, applying for registration within two (2) years of the passage of this act and who shall by affidavit

or otherwise show to the satisfaction of the board that he or she is a graduate of a training school for nurses which gives a course of not less than two (2) years in a public of private general hospital where medical, surgical and obstetrical cases and children's diseases are treated, or that he or she was at the time of the passage of this act a student in such training school for nurses, and afterward was graduated therefrom, shall be eligible for registration without examination, upon the payment of a fee of five dollars ($5.00), the application to be accompanied by references and photograph of applicant.

Certificates to nurses registered in other states.

7. The board of examiners, upon written application, together with such references and proof of identification as the board may by rule prescribe, may issue a certificate without examination to any person who shall have been registered as a registered nurse under the law of any other State, the requirements of which for securing such registration were at the time of issuance thereof equivalent to the requirements prescribed by this act, and which gives the same privilege to registered nurses of this State.

Disposition of fees.

8. All fees collected by said board of examiners shall be paid to the secretary-treasurer, and said secretary-treasurer shall pay from the moneys so received, upon the approval of the president, the salary of said secretary-treasurer and necessary expenses of the members as provided in section four (4) of this act, also for books, certificates, stationery and other necessary expenses of the board, *provided* that said board shall not create nor incur expenses exceeding the sum received as fees under the provisions of this act. The secretary-treasurer shall, before taking office, give to the State a bond with surety, conditioned for the faithful performance of the duties of said office in the penal sum of not less than one hundred dollars ($100), and shall keep an account of all moneys received and expended as aforesaid, and shall render a detailed statement thereof to the comptroller on or before June first (1st) in each year. The secretary-treasurer shall also submit to the Governor on or before June first (1st) in each

Proviso.

Surety bond.

Annual report to Governor.

year a general statement of the work of the board, including therein a statement of the number of applicants received, approved and rejected during the year.

Exceptions.

9. This act shall not apply to persons nursing gratuitously or for hire, provided they do not assume to be registered nurses or to use the abbreviation R. N.

Revocation of certificate.

10. The board of examiners may by unanimous vote revoke a certificate for the following reasons: dishonesty, gross incompetency, a habit rendering a nurse unsafe to be intrusted with or unfit for the care of the sick, conduct derogatory to the morals or standing of the profession of nursing or any willful fraud or misrepresentation practiced in procuring such certificate. In complaints for violating the provisions of this act the accused shall be furnished with a copy of the complaint thirty (30) days prior to a hearing before the board in person or by an attorney; and any person, after such revocation of certificate, who shall attempt to practice as a registered nurse or use the abbreviation R. N. shall be subject to the penalties hereinafter provided.

Penalties.

11. Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars ($50) nor more than two hundred dollars ($200) for each offense, and it shall be the duty of the respective prosecutors of the pleas of the counties of this State to prosecute violations of the provisions of this act.

Repealer.

12. All acts or parts of acts, general or special, now existing, not in accordance with the provisions of this act or inconsistent therewith, are hereby repealed.

13. This act shall take effect immediatly.

Approved April 1, 1912.

CHAPTER 355.

An Act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912).

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

Membership of boards of freeholders.

1. Boards of chosen freeholders in counties of this State having over three hundred thousand inhabitants shall consist of nine members; in counties having between one hundred and thirty-five thousand and three hundred thousand inhabitants, said boards shall consist of seven members; in counties having between fifty thousand and one hundred and thirty-five thousand inhabitants, said boards shall consist of five members; in counties having less than fifty thousand inhabitants, said boards shall consist of three members; they shall be elected by the voters of each county at the same time that members of the general assembly are elected, and shall hold office for three years from the first Monday of January next after their election, and until their successors are elected and qualified; *provided, however,* that at the first election in each county of this State, that hereafter adopts the provisions of this act, the members of the boards of chosen freeholders for such counties shall be elected as follows: In counties having over three hundred thousand inhabitants, three shall be elected for the term of one year, three for the term of two years, and three for the term of three years; in counties having between one hundred and thirty-five thousand and three hundred thousand inhabitants, two

Proviso.

shall be elected for the term of one year, two for the term of two years, and three for the term of three years; in counties having between fifty thousand and one hundred and thirty-five thousand inhabitants, one shall be elected for the term of one year, two for the term of two years, and two for the term of three years; in counties having less than fifty thousand inhabitants, one shall be elected for the term of one year, one for the term of two years, and one for the term of three years, and the ballots voted at such elections shall designate which are to serve for the term of one year, which for the term of two years, and which for the term of three years.

Organization.

2. The board of chosen freeholders constituted as hereinafter directed in any county, shall meet for organization on the first Monday of January next after the election of the members thereof under this act, and on the first Monday of January of each second year thereafter, and such board shall elect from their own number a director who shall be the presiding officer of said board and shall appoint the standing committees thereof.

Salaries.

3. Each member of said boards shall receive an annual salary of fifteen hundred dollars in lieu of all fees, expenses and other compensation whatsoever, except in counties having less than twenty-two thousand inhabitants, where each member of said board shall receive an annual salary of one thousand dollars in lieu of all fees, expenses and other compensation whatsoever; before assuming the duties of his office each member of said boards chosen or elected under the provisions of this act, shall take and subscribe an official oath for the faithful performance of the duties of his office, which oath shall be filed in the office of the clerk of said county.

Oath.

Vacancies

4. Any vacancy hereafter occurring in any of the boards of chosen freeholders constituted or elected under the provisions of this act, shall be filled by the remaining members of such board for the remainder of the year in which such vacancy occurred, or until the first Monday of January succeeding, and at the first annual election held after such vacancy occurred, some fit person shall be elected to fill such office for the unex-

pired term only. All laws, public, general, special or private now in force relating to boards of chosen freeholders shall apply to the boards of chosen freeholders as the same shall be constituted or elected under the provisions of this act, so far as the same shall not be inconsistent with the provisions of this act, and the boards of chosen freeholders constituted or elected under the provisions of this act shall be vested with all the powers, authority, rights and privileges and shall have imposed upon them all the duties which are now vested in or imposed upon the boards of chosen freeholders now existing; and all laws, parts of laws, statutes and parts of statutes now in force or in anywise applicable to the existing boards of chosen freeholders, public or private, general or special, be and the same hereby are in all respects continued in full force and made applicable to the boards of chosen freeholders constituted or elected under the provisions of this act, except so far as the same may conflict with or be inconsistent with the meaning of this act.

Laws applicable.

Powers, etc.

5. The terms of office of all chosen freeholders in any county then in office shall expire on the first Monday of January next after the election of chosen freeholders in such county under this act, notwithstanding that such members of such previous boards of chosen freeholders may have been chosen or elected for a longer term for a period extending beyond the said last mentioned date, and such members of such boards of chosen freeholders whose offices shall be terminated by this act, shall only receive and be paid as a salary and compensation for their services that part of the annual salary or emolument then provided for by law calculated to the date of such termination as aforesaid.

Expiration of present boards.

6. The terms of office of all officers then holding office under appointment by the board of chosen freeholders existing in any county at the time of the reorganization of said board under this act in such county, shall expire with the termination of office of the members of such previous board as aforesaid, notwithstanding that such officers may have been appointed for a longer term; and all offices filled by appointments by such previous boards shall then become vacant; and the boards of chosen free-

Terms of all officers to expire.

New Jersey State Library

holders constituted or elected under the provisions of this act shall forthwith, upon their organization fill the offices hereby vacated, for the term of one year only;

Proviso. *provided,* that the person holding the office of county collector in any county at the time of the reorganization of said board in such county under this act, shall continue to exercise the duties of his office until his successor shall have been appointed by the board of chosen freeholders organized under this act, and shall have duly

Proviso. qualified; *and provided further,* that nothing in this section contained shall apply to or in anywise affect any honorably discharged soldier or sailor of the United States or the widow of such soldier or sailor, in office at the time of the adoption of this act in any such county, but any and all such persons shall continue and remain in their respective offices the same as if this act had not been passed, and shall be removed only for cause.

Repealer. 7. All acts and parts of acts, both general and special, inconsistent with this act, be and the same are hereby

Proviso. repealed; provided, however, that none of the foregoing provisions shall take effect in any county until the same shall have been adopted by vote of the legal voters of such county, except as hereinafter provided. The adop-

Referendum. tion of this act shall be submitted to vote in any county at any election for members of the general assembly

Petition. hereafter to be held, when a petition therefor, signed by at least five per centum of the qualified electors of such county, as evidenced by the total number of votes cast at the then next preceding election for members of the general assembly in such county, shall have been filed with the clerk of said county, of which submission the

Notice of election. same notice shall be given as is required to be given of said general election, and the legal voters of said county may, at such election, decide upon the acceptance or rejection of this act in the following manner: there shall

Ballots be printed on each official ballot, containing the names of candidates for members of the general assembly the proposition, "Shall the act to authorize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of

office of officers appointed by such boards (Revision of 1912), be adopted," and the voter may vote to adopt this act by making an × mark in the square opposite the word "Yes" and to reject this act by making an × mark in the square opposite the word "No"; and said ballots so cast for or against this act shall be counted and the result thereof returned by the election officers and a canvass of such election had in the same manner, and at the same time as in case of ballots for candidates voted for at such election, and the acceptance or rejection of this act so determined, shall be declared in the same manner as the general result of said election for county officers; and if there should be a majority of votes so cast in favor of the adoption of this act, but not otherwise, this act shall take effect in such county immediately.

Result canvassed.

8. This act shall take effect immediately as regards the submission thereof to popular vote as aforesaid.

In effect.

9. Nothing in this act contained shall be construed to require a reorganization of the board of chosen freeholders of any county in accordance with the provisions of this act when such county has, prior to the passage of this act, adopted the provisions of the act entitled "An act to reduce the number of members of the boards of chosen freeholders in counties of this State, and to fix the salaries and provide for the election of the members of said boards," approved March twenty-sixth, one thousand nine hundred and two, either as originally passed or as amended, and which has effected a reorganization of its board of chosen freeholders in pursuance thereof, and in such counties the members of such reorganized boards of freeholders shall continue in office until the expiration of the terms for which they were elected, and such boards so reorganized shall hereafter be subject to and be governed by the provisions of this act; and in all counties in which there has heretofore been held an election for the acceptance or rejection of the act entitled "An act to reduce the number of members of the boards of chosen freeholders in counties of this State, and to fix the salaries and provide for the election of the members of said boards," approved March twenty-sixth, one thousand nine hun-

Certain counties not affected.

Government of reorganized boards.

dred and two, either as originally passed or as amended, at which election a majority of the votes cast for or against the law reducing the number of freeholders were in favor of the adoption of said act; the board of chosen freeholders of such county shall consist of the number of members, according to population, as provided for herein, and where no election for members of the board of chosen freeholders has been held in such county, subsequent to the adoption of said act, the board of freeholders of such county shall be elected at the next general election held in such county, in the manner herein set forth, and such boards of chosen freeholders shall be subject to and be governed by the provisions of this act.

Membership.

Repealer.

10. 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 1, 1912.

CHAPTER 356.

An Act concerning the fees and costs and the taxation thereof in any Court of Common Pleas in this State in certain cases.

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

Who entitled to costs.

1. The prevailing party in any action, motion or proceedings concerning the employers' liability act or cases appealed to the Court of Common Pleas, from any magistrate, justice of the peace, or criminal courts, for the trial of small causes and district courts, shall be entitled to costs, unless the court or judge before whom such action, motion or proceedings shall be taken shall order otherwise.

Taxing costs.

2. Costs shall be taxed by the clerk of the said Court of Common Pleas upon application of the party entitled thereto, 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 in case the costs shall not have been taxed within two terms next after the entry of such judgment or order, no costs shall thereafter be allowed or taxed. 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 the costs, but the amount thereof shall be ascertained by taxation. In cases under the employers' liability act fees shall be as follows:

Fees allowable.

Attorney's fees.

For attorney of plaintiff or defendant:

Fees for proceedings before trial or argument,	$12 00
Trial fee or argument fees,	8 00

And such other disbursements as attorneys are now allowed by law.

Court's fees.

Court's fees:

For trying case, hearing arguments,	2 00
Signing judgment,	50
Rendering judgment or verdict,	50
Clerk's fees for filing petition,	2 00
Filing, entering every order and copy,	1 80
For entering and recording judgment,	3 00
For rule for diminution,	2 00
For filing answer,	1 50
For taxing costs,	1 25

Together with such other fees that are now allowed by law, for summoning and swearing witnesses, taking and entering verdict and taxing costs.

Fees on appeal.

Appeal cases to the Court of Common Pleas:

Attorney's fees for trial or arguments,	6 00
Court's fees for hearing appeal or argument,	2 00
Court's fees for signing judgment,	50
Clerk's fees for filing all papers and proceedings before notice of hearing or trial,	2 00
For filing notice of trial,	1 00
For order dismissing appeal,	2 00
For recording judgment,	1 08
For taxing costs, including copy,	1 00

Together with all fees for the summoning and swearing of witnesses, taking verdict, as are now allowed by law.

Taxation of costs reviewable.

3. Taxation or retaxation of costs may be reviewed by the court upon a motion for new taxation, the order made upon said motion may be allowed or disallowed, 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.

Examination of bills by taxing officer.

4. 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.

Adverse party entitled to copy of bill.

5. The person or his attorney against whom a bill of costs is taxed may request to be served with a copy of the bill of costs from the party in whose favor the costs are taxed.

Disposition of fees.

6. All fees 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.

7. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 357.

A Supplement to an act entitled "An act to incorporate the city of Millville," approved February twenty-sixth, one thousand eight hundred and sixty-six.

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

1. The common council may by ordinance fix the salary of the mayor of such city at any sum not exceeding nine hundred dollars per annum, same to be paid monthly as other salaries are paid. Salary of mayor.

2. All acts or parts of acts inconsistent with this act be and the same are hereby repealed. Repealer.

3. This act shall take effect immediately.

Approved April 1, 1912.

CHAPTER 358.

An Act prohibiting any person or corporation from erecting, setting, operating or maintaining any fish pound net in any of the waters of the Atlantic ocean, Sandy Hook bay or Raritan bay, without first obtaining a license for such purpose from the Board of Fish and Game Commissioners of this State.

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

1. It shall be unlawful for any person or persons, corporation or corporations to erect, set, operate or maintain any fish pound nets in any of the waters of the Atlantic ocean, within three nautical miles from the coast line of this State, or in Sandy Hook bay or Raritan bay, within the jurisdiction of this State, without first obtaining a license for such purpose as hereinafter provided. License to use pound nets.

2. Application for a license for the purpose mentioned in the first section of this act shall be made to the Board of Fish and Game Commissioners. Said board shall, upon the payment to them of the sum of fifty dollars for each fish pound net to be erected in the Atlantic ocean, and ten dollars for each pound net to be erected in Sandy Hook bay or Raritan bay, as a license fee, issue to the person or persons, corporation or corporations applying therefor and paying said sums as aforesaid, if entitled thereto under the provisions of this act, a license duly signed by the secretary of said board, to erect, set, operate and maintain a fish pound License fees.

net in one of the waters above specified, which said license shall be valid and in force for the term of one year from the date hereof, and no license shall be issued for a space of time less than one year. The method of numbering and identification of said pounds shall be such as may be determined by the Board of Fish and Game Commissioners without expense to the owners of said pounds; *provided*, that no pound, except pounds heretofore established shall be set, erected, operated or maintained in the Atlantic ocean within one and one-half miles of any other pound, said measurement to be parallel with the coast line.

Validity of license.

Numbering.

Proviso.

Qualifications for licensee.

3. No license shall be issued under this act to any person who is not a bona fide resident of this State at the time of making such application, and any such license shall become void upon the removal of the person holding the same from this State. No such license shall be issued to any corporation unless such corporation is a domestic corporation, all of the shares of stock of which are held by bona fide residents of this State, and if at any time any stock of any such corporation shall become the property of any non-resident of this State the license of such corporation shall immediately become void.

Annual reports.

4. On or before the thirtieth day of January in each year the owner or owners of each pound net shall make a detailed report, under oath or affirmation, for the preceding year to the Board of Fish and Game Commissioners on blanks furnished by the Board of Fish and Game Commissioners, setting forth the approximate value of each pound, the number of men employed or engaged in operating such pound, the number of pounds of fish caught and disposed of, and the proceeds derived from the sale of the fish caught.

Penalty.

5. Any person or persons, corporation or corporations violating any of the provisions of this act shall pay a penalty of two hundred dollars, said penalty to be recovered by the persons authorized and in the manner provided 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, and the acts amendatory thereof and supplementary thereto.

6. This act shall take effect immediately.

Approved April 2, 1912.

CHAPTER 359.

An Act to amend "An act concerning the government of cities of this State," approved April sixth, one thousand eight hundred and eighty-nine.

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

1. Amend section one of the act entitled "An act concerning the government of cities of this State," approved April sixth, one thousand eight hundred and eighty-nine, to read as follows: Section 1 amended.

1. That in the cities in this State the mayors thereof respectively shall appoint all city comptrollers, city treasurers and city collectors in lieu of, and to be substituted for, and to act in place of, and who shall in each case respectively be invested with and shall perform all the powers and duties of any such officers, by whatsoever title they may be designated, now authorized by law to act therein; and that each of said officers so appointed by the mayors shall receive such salary as the board or body having charge and control of the finances of such city shall determine, and that their terms of service shall be two years in each case; and the terms of the first officers appointed hereunder shall date from the date of their appointment under this act; and that such officers shall give bonds for the faithful discharge of their duties in such amounts as may be fixed by the board of finance in and for any city, and which bonds shall be approved as to sufficiency by said board, the cost thereof, if any, to be borne by said city; and that the term of service of every such officer named herein now holding office in any such city shall end on the appointment and qualification of his successor as herein authorized; and every such officer shall imme- Mayor to appoint certain officers. Salaries. Term. Bond given. End of term.

diately deliver up his office and all books and papers, matters and things whatsoever connected therewith to his said successor; any vacancy in either of the offices herein provided for shall be filled in the same manner, but for the unexpired term only; each of the officers named in this section shall have power to employ a deputy, which deputies shall assist said officers in the discharge of their several duties, and act in their stead during absence or disability; and all such officers and deputies shall be sworn in as such officers are now sworn in, in each of said cities; and every such deputy shall give bonds in such amount as the board of finance shall fix, to be approved in the same maner, the cost thereof to be borne by the city; said deputies shall each receive such salary as the board or body having charge and control of the finance of such city shall determine and shall serve during the pleasure of the appointing power; such other clerks and messengers may be employed from time to time by the chief officers herein named as may be necessary or convenient for the proper transaction of the public business, with the consent of the board of finance of the city, as in this act authorized, the appointing power to fix their compensation, proper and convenient offices shall be provided in each case, and the necessary supplies furnished at public expense, and the amounts thereof provided in the annual tax levies of every city.

Vacancies.

Deputies.

Oath; bond.

Pay of deputies.

Assistants.

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

Repealer.

Approved April 2, 1912.

CHAPTER 360.

An Act providing for the hearing and determination of disputes or matters affecting the domestic relation, and conferring jurisdiction upon the county juvenile courts.

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

Domestic disputes determined in juvenile courts.

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

Meaning of this act.

2. By "disputes involving the domestic relation" is meant all complaints for violation of an act entitled "An act concerning disorderly persons" (Revision of 1898), and the acts amendatory thereof and supplements thereto, where the gravamen of the complaint is the failure or neglect of one member of a family to satisfy or discharge his legal obligations to another member or members of the family; and all charges against any persons for abandonment or non-support of wives, or children, or poor relatives, under any provision of law; and all prosecutions instituted by the poormaster of any municipality, based upon or arising out of the marriage state; *provided, however,* that nothing in this act shall be construed to confer upon such court jurisdiction to hear and determine any criminal complaint for the violation of any law of this State denominating any such conduct a crime or misdemeanor, except as provided by law.

Proviso.

Jurisdiction of courts not altered.

3. The jurisdictions of courts now authorized by law to hear and determine any of the matters herein referred to shall not be curtailed or affected by the passage of this act, but the county juvenile court shall have jurisdiction in such cases concurrent with such courts; *provided, however,* that any such cause pending in any other court, excepting the Court of Chancery or the Orphans' Court, may be transferred to the county juvenile court by the order of the judge of such court having first obtained jurisdiction, or said cause may be transferred to the county juvenile court upon the application of any party complainant or defendant, provided such application is approved by the judge of the county juvenile court, which approval shall be certified by a written order signed by the judge of such county juvenile court.

Proviso.

Powers of court.

4. In all cases coming before the county juvenile court under or by virtue of the provisions of this act, said court shall be vested with all the powers, rights and privileges incident to the hearing, determination and final disposition of such cases as are or may be exercised or enjoyed by any other court having jurisdiction over such cases, and the process to secure the appearance of parties and witnesses shall be, as nearly as may be, such process as is required to secure the presence thereof in other courts of this State having jurisdiction of such matters, and process may be served in the same manner as provided for the service of process in other cases in which the juvenile court has jurisdiction.

As to compensation.

5. No compensation shall be allowed to any public officer or official for any service performed under and by virtue of the provisions of this act, except as expressly provided for by law.

6. This act shall take effect immediately.

Approved April 2, 1912.

CHAPTER 361.

A Supplement to an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said 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:*

Motor vehicles registered.

1. Every resident of this State and every non-resident, whose automobile shall be driven in this State, except as is hereinafter provided, shall, before using

such vehicle on the public highways, register the same, and no motor vehicle shall be driven unless so registered. Every registration shall expire and the certificate thereof become void on the thirty-first day of December of each year; *provided,* it shall be lawful for any automobile duly registered as herein provided, to be operated under said registration certificate for a period not exceeding thirty-one days after the expiration of said registration certificate.

Proviso.

2. Such registration shall be made in the following manner: A statement in writing shall be made to the Commissioner of Motor Vehicles, or his lawful agent, containing the name and address of such owner, together with a brief description of the character of such automobile, including the name of the maker and the manufacturers' number, and the rated horsepower as computed by the Association of Licensed Automobile Manufacturers' Formula, which rating shall govern in determining the class to which such automobile belongs as hereinafter provided.

Statement in application.

3. The applicant shall pay to the Commissioner of Motor Vehicles for each registration a fee of four dollars and fifty cents for automobiles of the first class; seven dollars and fifty cents for the second class, and fifteen dollars for the third class. Automobiles of ten horsepower, or less, shall be of the first class; from eleven to twenty-nine horsepower, inclusive, of the second class; and of thirty horsepower, or more, of the third class; automobile commercial trucks weighing unloaded over four thousand pounds, shall pay to the Commissioner of Motor Vehicles for each registration a fee of ten dollars in addition to the fee provided to be paid under horsepower rating; *provided,* that if application shall be made for registration of an automobile under this section after the first day of September in any year, the applicant shall be required to pay but one-half the registration fee hereinafter provided for in the class to which such automobile belongs.

Fees.

Additional fee for motor trucks.

Proviso.

Half-rate fee.

4. The Commissioner of Motor Vehicles shall issue for each automobile so registered a certificate properly numbered, stating that such automobile is registered in

Certificate issued.

Records kept.

accordance with law, and shall cause the name of such owner, with his address and the number of his certificate and description of such automobile, to be entered on the records of his department in alphabetical and numerical order.

Refusal to issue registration.

5. The Commissioner of Motor Vehicles may refuse registration in the case of any automobile that shall not comply with the requirements of this act or that shall seem to him unsuitable for use on the roads and highways of this State.

Transfers.

6. Upon any and every transfer of a registered automobile by the owner thereof, in whose name the same is registered, the said registration and certificate thereof shall forthwith be and become void; but the same may be validated by the endorsement of the Commissioner of Motor Vehicles, the purchaser having made written application therefor and paid a transfer fee of one dollar.

Period for which non-residents may drive without registering.

7. Any motor vehicle belonging to any person who is a non-resident of this State, and who has registered such motor vehicle in and has complied with all of the laws of the State, Territory or Federal District of the United States in which he resides with respect to the registration of motor vehicles and the display of registration numbers, and who shall conspicuously display such registration number as required thereby, may be driven in this State during a period of not to exceed fifteen days in each calendar year, or on two or more occasions not exceeding in the aggregate the period of fifteen days in any such year, without complying with or being subject to, the provisions of sections fifteen and twenty-one of the act to which this is a supplement, or either of them, or with any of the preceding

Proviso.

sections of this supplement; *provided,* that each day or part of a day during which any such motor vehicle is within this State shall be considered as one of said fif-

Proviso.

teen days; *and provided, further,* that the provisions of this section shall be operative as to any such motor vehicle owned by non-resident of this State only to the extent that under the laws of the State, Territory or Federal District of his residence substantially similar

exemptions and privileges are granted to motor vehicles duly registered under the laws of this State.

As to non-resident drivers.

8. Any chauffeur, or driver of a motor vehicle, not a resident of this State, who has registered under, and complied with all the laws respecting the registration and licensing of chauffeurs or drivers of motor vehicles in the State, Territory or Federal District in which he resides, may, during the period mentioned, and under the restrictions contained in the preceding section of this supplement, drive any such motor vehicle in this State without complying with, or being subject to, the provisions of sections seventeen and eighteen of the act of which this is a supplement, or any of them; *provided,* that the provisions of this section shall be operative only to the extent that under the laws of the State, Territory or Federal District in which such chauffeur or driver resides substantially similar exemptions and privileges are granted to chauffeurs or drivers of motor vehicles registered under the laws of this State.

Proviso.

State laws to govern.

9. Nothing in this act shall be construed to permit any fictitious sign or number to be displayed on any such motor vehicle, and the operation of any such motor vehicle within this State shall be subject to all the provisions of the act to which this is a supplement, and the various amendments thereof and supplements thereto, which are not in conflict with the provisions of this act.

Acts repealed.

10. The act entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which said supplement was approved the twenty-first day of April, nineteen hundred and nine, and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

11. This act shall take effect immediately.

Approved April 2, 1912.

CHAPTER 362.

A Supplement to an act entitled "An act to establish a uniform standard of weights and measures in this State, to establish a department of weights and measures, and to provide penalties for the use of other than standard or legal weights and measures," approved April twenty-fourth, nineteen hundred and eleven.

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

Capacity of bottles.

1. Bottles used for the sale of milk and cream shall be of the capacity of half-gallon, three pints, one quart, one pint, half-pint and one gill, filled full to the bottom of the cap ring or stopple.

Variations permissible.

The following variations on individual bottles or jars may be allowed: Six drams above and six drams below on the half-gallon; five drams above and five drams below on the three pints; four drams above and four drams below on the quart; three drams above and three drams below on the pint; two drams above and two drams below on the half-pint, and two drams above and two drams below on the gill.

Vessels marked.

Bottles or jars used for the sale of milk shall have clearly blown, or otherwise permanently marked, in the sides or bottom of the bottle the name, initials or trade-mark of the manufacturer and a designating number, which designating number shall be different for each manufacturer and may be used in identifying the bottles.

Designating number.

The designating number shall be furnished by the State Superintendent of Weights and Measures upon application by the manufacturer, and a record of the designating numbers and to whom furnished shall be kept in the office of the Superintendent of Weights and Measures.

Penalty for non-compliance.

2. Any manufacturer who sell milk and cream bottles to be used in this State that do not comply as

to size and marking with the provisions of this act shall suffer a penalty of five hundred dollars, to be recovered in an action of debt to be brought by the State Superintendent of Weights and Measures, and the penalty, when recovered, shall be paid into the treasury of this State. Any dealer who knowingly uses for the purpose of selling milk or cream jars or bottles purchased after this law takes effect that do not comply with this section as to marking and capacity shall be guilty of a misdemeanor.

Dealer's responsibility.

Approved April 2, 1912.

CHAPTER 363.

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:*

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

Section 95 amended.

95. In all elections which shall be held for State and county officers, the board of registry and election shall make duplicate statements of the result thereof, and certificates to the same, in the following or like form:

Duplicate statements of result to be made in State and county elections.

"A statement of the result of an election held in the ..... election district of the ..... of ..... in the county of ....., on the ..... day of November, in the year of our Lord one thousand eight hundred and ....., for a member of the Senate, members of the General Assembly, a sheriff, and three coroners, for said county; (or as the case may be).

Form of statement.

The whole number of names on the register list of signature copy book is .....

The whole number of names on the poll book is .....

The whole number of ballots rejected is.....

For members of the Senate,
received votes
received votes
For members of the General Assembly,
received votes
received votes
For sheriff,
received votes
received votes
For coroners,
received votes
received votes

We do certify that the foregoing is a true, full and correct statement of the result of the election above mentioned, and that the same exhibits the whole number of the names on the poll-book and of the ballots rejected, the name of each person for whom any vote or votes were given for any office designated for him in such vote or votes, and the number of votes given for each person for the office or offices as designated for him.

In witness whereof, we have hereunto set our hands, this ..... day of November, in the year of our Lord one thousand nine hundred and .....

.....
.....
.....
.....
Board of Registry and Election."

Making under each head a list of the names of all the persons for whom any vote or votes were given for the office or offices designated therein; and stating opposite to the same, in words written at full length, the number of votes given for each person for such office or offices, and filling up all other blanks in the form above given to conform to the facts of the case; and in every other election the board of registry and election shall make statements of the result thereof, and certificates to the same, in a form similar to the above given, as far as the nature of such election will admit.

Form of statement in other elections.

Section 109 amended.

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

Form of statement.

109. The statement and certificate shall be in the following, or like form:

"A statement of the result of an election held in the county of ....., on the ..... day of November, in the year of our Lord one thousand ..... hundred and ....., to elect a member of the Senate, members of the General Assembly, a sheriff and coroners of said county (naming the officers as the case may be), made by the board of county canvassers of said county.

Names of persons voted for and the offices designated for each.	Names of election districts and the number of votes given for each person in each district.						Whole number of votes in the county.	Whole number of votes received by each person.
For member of Senate, ...								
For member of Assembly, ...								
For sheriff, ...								
For coroners, ...								
Whole number of names on the.....								
Registry list or Signature, ...								
Copy Book, ...								
Number of names on the poll-book of each district, ...								
Number of ballots rejected, ...								

Form of certificate appended to statement.

I do hereby certify that the foregoing is a true, full and correct statement of the result of the election above mentioned, as the same is exhibited by the statements produced and laid before the board of county canvassers according to law, and that the same exhibits the number of the names of the voters in the poll-books of the election districts, respectively, and of the ballots rejected, the whole number of the names of the voters in the poll-books of the several election districts, the name of each person for whom any vote or votes were given, the number of votes given for each person in each election district, and the whole number of votes given for each person for each office designated for him, as they appear by

the statements so produced and laid before the said board. In witness whereof, I have hereunto set my hand, this ....., day of ....., in the year of our Lord one thousand ..... hundred and.....

Chairman of the Board of Canvassers.

Attest: , *Clerk.*"

And the blanks in the form above given shall be filled up to conform to the facts of the case.

Approved April 2, 1912.

CHAPTER 364.

An Act to repeal an act entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," which amendatory act was approved April twenty-seventh, one thousand nine hundred and eleven, and is known as chapter 282 of the laws of 1911.

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

Act repealed.

1. An act entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," which amendatory act was approved April twenty-seventh, one thousand nine hundred and eleven, and is known as chapter 282 of the laws of 1911, be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved April 2, 1912.

CHAPTER 365.

An Act to amend an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved April twenty-seventh, one thousand nine hundred and eleven, in order to ascertain the thoroughness and efficiency of any or all public schools, and of any or all grades therein.

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

Section 5 amended

1. Paragraph five of the act referred to in the title of this act is hereby amended to read as follows:

Duties of commissioner.

5. The Commissioner of Education shall, with the advice and consent of the State Board of Education:

Secretary of board.

I. Designate one of the clerks in the Department of Public Instruction to act as secretary of the State Board of Education and to perform such services as it may require.

Assistant commissioners; salary.

II. Appoint four assistant commissioners of education, each at an annual salary of four thousand five hundred dollars, and designate one of them to act in his place during his absence.

Supervisor of secondary schools.

III. Designate one of such assistants to act as supervisor of secondary education and define his duties, cause him to devote his entire time during school hours to personal inspection and to conduct tests of at least one-half hour each in at least three classes on each visit to a high school or to a high school department.

Supervisor of elementary schools.

IV. Designate one of such assistants to act as supervisor of elementary education and define his duties and cause him to devote his entire time during school hours to personal inspection.

Supervisor of industrial education.

V. Designate one of such assistants to act as supervisor of industrial education, including agriculture, and define his duties, including agriculture, and to cause him to devote his entire time during school hours to personal inspection.

As to controversies and disputes.

VI. Designate one of such assistants to hear all controversies and disputes which may arise under the school laws or the rules and regulations of the State Board of Education, or of the Commissioner of Education, subject, however, to a right of appeal to the State Board of Education.

Tests and examinations.

VII. Ascertain the thoroughness and efficiency of any or all public schools, and of any or all grades in them, by such ways and means, tests and examinations, as to him may seem proper, whenever in his opinion or in that of the State Board of Education it is advisable to do so; prescribe during each school term and within sixty days prior to its expiration, an examination in at least arithmetic, writing, spelling, English, history and geography, of the pupils in the highest grade in each elementary school; *provided,* that if in any school any of said subjects is not taught in the highest grade, the examination shall be confined to such of said subjects as are taught or used; prepare or cause to be prepared questions for the examinations; prescribe the times and places for holding them and the rules governing them; select the superintendents, principals and teachers who shall conduct them, and who shall mark and file such papers and such reports as may be required in the Department of Public Instruction; report to the State Board of Education the results of all tests and examinations and such other information in regard thereto as it may require.

Subjects.

Proviso.

Questions prepared.

Report of tests.

District rights.

Nothing herein contained shall impair the right of each district to prescribe its own rules for promotions.

Prescribe minimum courses.

VIII. Prescribe a minimum course of study for the elementary schools and for the high schools or for either, if in his opinion it is advisable so to do.

Sub-normal children.

IX. Prescribe such method as to him may seem best for use in ascertaining what children are three years or more below the normal.

X. Hold meetings of city and county superintendents at least once in each year for the discussion of school affairs and ways and means of promoting a thorough and efficient system of education. Meetings of superintendents.

XI. Direct the county collector to withhold funds received by him from the State from any district that refuses or neglects to obey the law or the rules or directions of the State Board of Education or the Commissioner of Education. Withhold funds from districts.

XII. Report to the State Board of Education once a month and at such other times as it may designate such information as it may prescribe. Monthly reports.

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

Approved April 2, 1912.

CHAPTER 366.

An Act to amend the title and body of an act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven, so as to define the municipalities to which the act applies, as cities, towns, townships, boroughs, villages, and municipalities governed by boards of commissioners or improvement commissions, and, further, to amend said act generally.

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

1. The title of the act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this Title amended.

state," approved April twenty-fifth, one thousand nine hundred and eleven, be and the same is hereby amended to read as follows:

New title.

An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions in this State.

Section 3 amended.

2. Section three of the act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven, be and the same is hereby amended so as to read as follows:

Number of Commissioners.

3. Every city having by the last preceding State or national census ten thousand population or more shall be governed by a board of commissions consisting of five commissioners, and every city having by the last census less than ten thousand population shall be governed by a board of commissioners consisting of three commissioners, chosen as provided in this act, each of whom shall have the right to vote on all questions coming before the board of commissioners; *provided, however,* that the number of the commissioners in any city may be increased from three to five or decreased from five to three by an ordinance adopted by the board of commissioners in accordance with all the provisions of this act. A majority of the members of the board of commissioners shall constitute a quorum and the affirmative vote of a majority of all the members shall be necessary to adopt any motion, resolution or ordinance, or pass any measure unless otherwise provided for in this act. Every resolution or ordinance shall be reduced to writing and read before the vote is taken thereon, and the vote upon every motion, resolution or ordinance shall be taken by yeas and nays and entered on the minutes. At the first meeting after their election, the said commissioners shall choose one of their number to preside at all meetings of the board of commissioners and he shall be designated "Mayor." The mayor shall have no power to veto any measure, but every resolution or ordinance passed by the board of commissioners shall

Proviso.

Quorum.

Ordinances.

Organization.

Mayor.

be recorded and signed in the book in which it is recorded by a majority of all the commissioners before it shall be in force. Resolutions and ordinances signed.

After its final adoption, each ordinance shall be published once, in a newspaper published and circulating in the city, if such there be, or, if there be no such newspaper, then in a newspaper published in the county and circulating in the city, and no publication of any ordinance or resolution, either before or after its final adoption, shall be necessary to make the same effective, except as provided in this act. When any ordinance or resolution is required to be published by any of the provisions of this act, such publication shall include the names of the commissioners who signed such ordinance or resolution. Ordinances published.

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

4. The board of commissioners shall have and possess all administrative, judicial and legislative powers and duties now had and possessed and exercised by the mayor and city council and all other executive or legislative bodies in said city, and have complete control over the affairs of the city adopting the provisions of this act. All powers vested in board of commissioners.

The executive and administrative powers, authority and duties in such city shall be distributed into and among five departments, except that in any city having but three commissioners, three departments shall be designated and provided by the consolidation of the first and third departments and the fourth and fifth departments as follows: City departments.

(1.) Department of Public Affairs.

(2.) Department of Revenue and Finance.

(3.) Department of Public Safety.

(4.) Department of Streets and Public Improvements.

(5.) Department of Parks and Public Property.

The board of commissioners shall determine the powers and duties to be performed by each department and assign such powers and duties to the appropriate departments, and they shall prescribe the powers and du- Powers and duties prescribed by board.

ties of all officers and employes, and they may assign particular officers and employes to one or more departments and may require any officer or employe to perform duties in two or more departments, and make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city.

Commissioners assigned to departments as directors.

The mayor shall be the director of the Department of Public Affairs, and the board of commissioners shall, at the first regular meeting after the election of its members, designate by majority vote one commissioner to be director of the Department of Revenue and Finance, one to be director of the Department of Public Safety, one to be director of the Department of Streets and Public Improvements, and one to be director of the Department of Parks and Public Property, except that upon the organization of a board of three commissioners but three departments shall be designated, as above provided, and but three directors voted therefor, and such designation may be changed whenever it appears that the public service would be benefited thereby.

Subordinate boards and officers.

The board of commissioners shall at the first meeting, or as soon as may be after organization, create such subordinate boards and appoint such officers as it may deem necessary for the proper and efficient conduct of the affairs of the city. Any board created may be abated, or any officer or employe appointed by the board of commissioners may be removed from office at any time for cause, after public hearing, and such board of commissioners shall be the sole judge of the sufficiency of the cause of such removal.

Salaries in first, second and third-class cities.

The mayor and board of commissioners shall have suitable offices and their total compensation shall, in cities of the first, second and third class, be as follows: In such cities having, by the last preceding State or national census, more than two hundred thousand population, the mayor's salary shall be not more than fifty-five hundred dollars, and that of each commissioner shall be not more than five thousand dollars. In cities having by the last census a population of over ninety thousand and not exceeding two hundred thousand, the

mayor's annual salary shall be not more than three thousand five hundred dollars, and that of each commissioner shall be not more than three thousand dollars. In cities having from forty thousand to ninety thousand population, the mayor's annual salary shall be not more than two thousand five hundred dollars, and that of each commissioner shall be not more than two thousand dollars. In cities having from twenty to forty thousand population, the mayor's annual salary shall be not more than one thousand eight hundred dollars, and that of each commissioner shall be not more than one thousand five hundred dollars. In cities having from ten to twenty thousand population, the mayor's annual salary shall be not more than one thousand five hundred dollars, and that of each commissioner shall be not more than one thousand two hundred dollars. In cities having from five thousand to ten thousand population, the mayor's annual salary shall be not more than one thousand dollars, and that of each commissioner shall be not more than seven hundred and fifty dollars. In cities having from twenty-five hundred to five thousand population the mayor's annual salary shall be not more than seven hundred and fifty dollars, and that of each commissioner shall be not more than five hundred dollars. In cities having from one thousand to twenty-five hundred population the mayor's annual salary shall be not more than five hundred and that of each commissioner not more than three hundred and fifty dollars. In cities having from five hundred to one thousand population, the mayor's salary shall not be more than two hundred and fifty and that of each commissioner shall be not more than two hundred dollars, and in cities having less than five hundred population the mayor's salary shall be not more than seventy-five and that of each commissioner shall be not more than fifty dollars.

Salaries in fourth-class cities.

The compensation of the mayor and the commissioners shall, in cities of the fourth class be as follows: In such cities having, at the last preceding State or National census, more than ninety thousand population, the mayor's annual salary shall be not more than fifty-

five hundred, and that of each commissioner shall be not more than five thousand dollars. In cities having from forty thousand to ninety thousand population, the mayor's annual salary shall be not more than four thousand and that of each commissioner shall be not more than three thousand dollars. In cities having from twenty thousand to forty thousand population, the mayor's annual salary shall be not more than three thousand, and that of each commissioner shall be not more than twenty-five hundred dollars. In cities having from ten thousand to twenty thousand population, the mayor's annual salary shall be not more than twenty-five hundred, and that of each commissioner shall be not more than two thousand dollars. In cities having from five thousand to ten thousand population, the mayor's annual salary shall be not more than two thousand, and that of each commissioner shall be not more than fifteen hundred dollars. In cities having from twenty-five hundred to five thousand population, the mayor's annual salary shall be not more than fifteen hundred, and that of each commissioner shall be not more than twelve hundred and fifty dollars. In cities having from one thousand to twenty-five hundred population, the mayor's annual salary shall be not more than twelve hundred and fifty, and that of each commissioner shall be not more than one thousand dollars. In cities having less than one thousand population, the mayor's annual salary shall be not more than seven hundred and fifty, and that of each commissioner shall be not more than five hundred dollars. Such salaries shall be payable in equal monthly installments.

Other salaries.

The salary or compensation of all other officers and employes of the city shall be fixed by the board of commissioners and shall be payable monthly or at shorter periods as they shall determine; *provided, however,* that the compensation of the commissioners shall be fixed by an ordinance adopted by the board of commissioners immediately after the organization of the board, in accordance with all the provisions of this act. The compensation so fixed shall not be increased during the term for which such commissioners are elected; unless,

Proviso.

after said ordinance shall have been adopted, an increase in the compensation payable in such city shall be authorized by statute. In each city governed by the provisions of this act, there shall be a city clerk, who shall be appointed by the board of commissioners for such term as they may fix, and who shall be the clerk of the board of commissioners, and have the custody of their minutes, and of all papers and records of the city not otherwise expressly provided for. Said clerk shall also have custody of the seal of the city, and copies of all records of the city certified by him under the seal the city, shall be legal evidence in all courts and places in like manner as if the originals were produced. City clerk

The corporate existence of any city accepting the provisions of this act shall be continued, and its corporate name and seal shall not be changed by such acceptance, and all acts, general or special, relating to such city, shall, except so far as inconsistent with this act, apply to such city, and such city shall have and exercise the powers and duties thereby conferred or imposed. Corporate name and seal preserved.

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

6. Every ordinance or resolution appropriating money, or ordering any street improvement, or sewer, or authorizing the making of any contract or granting any franchises, or the right to occupy or use the streets, highways, bridges or public places of the city for any purpose, shall be complete in the form in which it is finally passed and remain on file with the city clerk for public inspection at least two weeks before the final passage or adoption thereof. No franchises, or right to occupy or use the streets, highways, bridges or public places in any city shall be granted, renewed or extended except by ordinance; and every such ordinance shall be published in said city before being finally passed upon and must receive the approval, by vote, of one more than a majority of all the members before being finally adopted. Ordinances. Franchises. Vote necessary for adoption.

Section 8 amended

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

Enforcement of ordinances.

8. All cities adopting the provisions of this act shall be and are hereby vested with the general powers and authority to enact and enforce by imposition of reasonable fines or by imprisonment or both all ordinances necessary for the protection of life, health and property; to declare and prevent and summarily to abate nuisances; to preserve and enforce the good government and general welfare, order and security of such city, and shall have all powers necessary for its government not in conflict with the laws applicable to all cities of this State or the provisions of the Constitution. *Provided, however,* that no ordinance or resolution increasing the net bonded indebtedness of the city to a sum in excess of fifteen per centum of the assessed valuation of all property within said city shall be valid unless the same shall be first submitted, by a special election, to the voters of the city and receive the approval of a majority of the voters actually voting at such election. The net bonded indebtedness of the city shall be determined by deducting from the total bonded indebtedness of the city all bonds of the city held in its sinking funds, and all cash or authorized investments other than bonds of the city held in such sinking funds, and by further deducting all bonds of the city, the payment of which is provided for in the tax levy of the current fiscal year, and all bonds issued to provide a supply of water.

Proviso; limit to bonded indebtedness.

Determination of bonded indebtedness.

Former legislation effective.

All ordinances or resolutions heretofore passed in any such cities, not inconsistent with the rights and powers herein granted shall remain in full force and effect until altered or repealed by the commissioners in the manner herein provided.

6. This act shall take effect immediately.

Approved April 2, 1912.

CHAPTER 367.

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:*

1. Amend section twenty-two to read as follows: Section 22 amended.

22. The Commissioner of Education shall by and with the advice and consent of the State Board of Education shall appoint for each county a suitable person to be the county superintendent of schools of that county, who shall hold office for the term of three years from the date of his appointment and until his successor shall have been appointed as aforesaid, unless sooner removed for cause by said board. Each county superintendent hereafter appointed shall give particular attention to actual and personal supervision of school and shall devote his entire time to the duties of his office. No person shall be appointed as county superintendent of schools unless he shall hold the highest teacher's certificate issued in this State and shall have been a resident of the county for which he is appointed for at least three years immediately preceding his appointment. County superintendents. Term. Qualifications.

2. Amend section twenty-three of the act to which this is an amendment so that it shall read as follows: Section 23 amended.

23. The yearly salary of a county superintendent of schools hereafter appointed shall be three thousand dollars. Such salary shall be paid in equal monthly installments, and the State Comptroller shall, on the order of the Commissioner of Education, draw his warrant for such salary on the State Treasurer in favor of such county superintendents of schools. Salary.

3. This act shall take effect July first. In effect.

Approved April 2, 1912.

CHAPTER 368.

An Act to amend an act entitled "An act to amend an act entitled 'An act to provide for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three," which amendment 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:*

Section 57 amended.

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

Redemption by owner or mortgagee.

57. The owner, mortgagee, occupant or other person having an interest in the land sold for taxes, may redeem the same at any time within two years from the date of sale, or at any time thereafter until the right to redeem has been cut off in the manner hereinafter set forth, by paying to the collector or other collecting officer of delinquent taxes on lands of the municipality where the land is situate, the amount of purchase money shown on the certificate with twelve per centum interest thereon, together with such other fees and expenses as may be incurred by the purchaser under this act for recording fees and fees for the service of notices, where the purchaser shall have made and filed with such collector, or other collecting officer, an affidavit showing the costs of recording and notices necessarily served, and the fees and expenses incurred by the purchaser in ascertaining the owner or owners, mortgagee or mortgagees, occupant or other person or persons having an interest or a lien in or on such premises so sold for taxes; *provided, however,* that such fees and expenses incurred by the purchaser, as last aforesaid, shall not exceed the following rates, to wit: On any one lot or parcel of land con-

Proviso.

taining five thousand square feet or less, ten dollars; on any lot or plot of land containing three acres, twenty-five dollars; and on any lot or plot of land containing more than three acres, forty dollars; *provided, however,* no fees and expenses incurred in ascertaining the owner or owners, mortgagee or mortgagees, occupant or other person or persons having an interest or lien in or on such premises so sold for taxes shall be collectible unless a municipality is the purchaser of the lands so sold, and the collector or other collecting officer as in this section mentioned, on receiving such payments in full shall restore to the owner said land, and the sale shall be void, or where the redemption is made by a mortgagee or other person having a lien on the land, not primarily liable to pay the tax, the person so paying shall succeed to the tax lien paid by him, and the purchaser shall, on receipt of the redemption moneys, in full from the collector or other officer, as in this section mentioned, at the option of the party making the payments, either assign the certificate of sale by assignment under seal and acknowledged as a conveyance of land to the person redeeming, or execute a satisfaction of the certificate of sale or cancel the same by endorsement in the manner required by law to satisfy or cancel a mortgage, whereupon the record of the lien shall be cancelled by the county clerk or register in like manner and for the same fees as in the case of mortgages.

Rate of expenses.

Proviso.

Restoration to owner.

2. This act shall take effect immediately.

Approved April 2, 1912.

CHAPTER 369.

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:*

Additional normal school.

1. There shall be established and maintained an additional State Normal School for the purpose of training and educating persons in the science of education and art of teaching; the name and title of said school shall be "The New Jersey State Normal School at (here insert the name of the place where said school shall be located)"; tuition in said school shall be free.

Control.

2. The State Board of Education shall have control and care of said school in the same manner and to the same extent as said board has control and care of "The New Jersey State Normal Schools."

Situation.

3. The State Board of Education shall purchase a suitably located site in one of the counties of the first class not having a normal training school and shall erect thereon a building or buildings for the use of said normal school.

Work done by contract.

4. The erection and furnishing of said building or buildings shall be done by contract or otherwise, as the said board shall deem for the best interests of the State; said board may employ architects, superintendents and mechanics, advertise for proposals, make a contract or contracts for the whole or any part of said work, and incur all necessary expenses to carry out the provisions of this act.

Appropriation.

5. For the purchase of said site, and the erection and furnishing of said building or buildings, the sum of three hundred thousand dollars, or so much thereof

as may be necessary, is hereby appropriated; said sum shall be paid by the State Treasurer on the warrant of the Comptroller of the Treasury, upon the requisitions of the State Board of Education, in such sums as said board may need from time to time for the prosecution of the work herein provided for; *provided,* that no expense shall be incurred or moneys expended as authorized by this act, nor shall said appropriation become available, until an appropriation therefor shall have been made by the Legislature in the annual appropriation act. Proviso.

6. The said board shall make to the Legislature at its next session, and at each succeeding session, until said building or buildings shall be completed, a full and detailed report of its proceedings and expenditures under this act. Report.

7. This act shall take effect immediately.

Approved April 2, 1912.

CHAPTER 370.

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

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

1. In every city school district, except where the provisions of article seven of the act to which this is a supplement have been or shall hereafter be accepted, as permitted by section two hundred and forty-four of said act, and in every township, incorporated town or borough school district in which the provisions of article six of said act have been or shall hereafter be accepted, School board appointed by mayor.

as permitted by section two hundred and forty-three of said act, the board of education shall be appointed by the mayor or other chief executive officer. Said board shall consist of five members, except where the last State or Federal census, at any time of appointment as hereinafter provided, shall show a population of forty-five thousand inhabitants or upward in such school district, in which case the board shall consist of nine members. Appointments shall be made between the second and fifteenth days of January in each year, and terms of office shall begin on the first day of February thereafter. In the case of boards of education consisting of five members, one member shall be appointed each year for a term of five years and until the appointment and qualification of a successor; and in the case of boards consisting of nine members, three members shall be appointed each year for terms of three years and until the appointment and qualification of successors: *provided,* that every member of a board of education in a school district affected by this supplement shall continue to serve during his term of office and thereafter until the first day of February then next ensuing; *and provided further,* that first appointments under this supplement may be for less than full terms, if necessary; it being the intention to provide hereby that when this supplement shall take effect in a school district there shall be an immediate increase, if necessary, to five members or to nine members according to the population of the school district, as above provided, and a gradual reduction to the prescribed membership as terms expire, if in any case the existing membership shall be in excess thereof, and that eventually in cases of boards of education consisting of five members, one shall go out of office each year, and in cases of boards of education consisting of nine members, three shall go out of office each year. Any vacancy in such board of education shall be forthwith reported by the secretary of said board to the mayor or other chief executive officer, who shall, within thirty days thereafter, appoint a person to fill such vacancy for the unexpired term. To every such appointee said mayor or other chief executive officer shall

Membership.

Appointments.

Terms.

Proviso.

Proviso.

Intention of this act.

Vacancies.

issue and deliver a certificate of appointment. In any township school district affected by this supplement the chairman of the township committee shall for the purposes named in this section be deemed and taken to be the chief executive officer. Certificate to issue. Executive officer in townships.

2. On the first day of February in each year, or on the following day if that be a Sunday, every board of education constituted by this supplement shall organize by electing one of its members as president and another as vice-president, which officers shall serve for one year and until their respective successors shall be elected. Organization. Officers.

3. Upon the organization of a board of education under this supplement, any board of education or other body in the school district affected theretofore having charge of the public schools in such school district, or having custody, charge or management of any fund or property used for or in the maintaining of public schools in such school district, and having no other function, shall be ipso facto abolished. Existing board abolished.

4. Sections thirty-eight, thirty-nine, forty, forty-six and two hundred and forty-one of the act to which this is a supplement and all acts and parts of acts inconsistent herewith are hereby repealed. Sections repealed.

5. This act shall take effect immediately.

Approved April 2, 1912.

CHAPTER 371.

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

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.

Arrangement of names.

54. The names of candidates for the office of Representative in Congress and for every State, county and municipal office, except the names for presidential electors shall be arranged under the designation of the office in alphabetical order, according to the surnames. Blank spaces or lines shall be left at the end of the list of candidates for each different office equal to the number of persons to be elected to said office. Following the name of each candidate upon the same line upon the ballot shall be printed the name of the political party or group of petitioners making the nomination.

Party indicated.

If candidate represents more than one party.

Any candidate receiving the nomination of more than one political party or group of petitioners may, within five days after the time for making nominations expires, file with the public official charged with the duty of printing the ballots a notice directing such official in what order the several nominations shall be added to his name upon the official ballot, and said directions shall be followed by the said officer. If such candidate shall fail to make such directions as aforesaid, then said officer shall add said nominations or political designations to the name of such candidate in such order as said officer shall determine. On the same line, and to the left of the name of each candidate there shall be provided a square, or space, not less than one-quarter of an inch square, in which the voter may designate by a cross his choice of said candidates. Upon the said ballot shall be printed such directions as will aid the voter, as for example: "Mark a cross × in the square at the left of the name of the person for whom you desire to vote," "Vote for one," "Vote for two," and the like.

Designation square.

Section 55 amended.

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

Presidential electors grouped.

55. The names of candidates for presidential electors shall be arranged in groups as presented in the several certificates of nominations or petitions. Said groups shall be arranged in the order of the congressional district in which the elector resides.

Surnames and party printed above electors.

The surnames of the candidates of each political party for the offices of President and Vice-President, with

the political designation thereof at the right of the surnames, shall be placed in one line above the group of candidates of such party for electors. A sufficient square, not less than three-eighths of an inch square, in which the voter may designate by a cross his choice for electors shall be provided at the left of the surnames of the candidates for President and Vice-President.

Names grouped.

The names of candidates for any office for which more than one are to be elected shall be arranged in groups as presented in the several certificates of nominations on petitions; *provided, however,* that any candidate receiving the nominations of more than one political party or group of petitioners may file with the public official charged with the duty of printing the ballots, a notice directing the said official in what group of candidates he desires his name to appear; *and provided,* that such candidate's name shall appear but once and shall not appear as a nominee of a party, or group of petitioners, except such party or group of petitioners as have nominated him; *and provided,* that said notice be filed within five days after the time for filing nominations expires. The names in each group shall be arranged in alphabetical order of the surnames, and the groups shall be arranged in like manner in the alphabetical order of the surnames of the head of each group.

Proviso.

Proviso.

Proviso.

Alphabetical order.

Section 56 amended.

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

Official ballots.

Quantity.

56. The official ballot shall be furnished at the election places as now provided by law. There shall be furnished to each board of registry and election twice as many official ballots for use of the voters in the polling places on election day as there are voters registered in said election district. The names of all candidates shall be printed in capital letters in ten-point type, and the designation with capital and small letters of the same type; except that where there is more than one designation to a candidate the type may be smaller. If in case a candidate's name and party designation printed in full in ten-point type will over run the space

Style of type.

Abbreviations.

of three and three-quarters inches as provided in this section, the party designation may be abbreviated.

Type for names of electors.

The names of the presidential electors shall be printed in ten (10) point type and the space between each name shall not exceed one-eighth of an inch, and if said names occupy more space than one line, the space between the lines shall not exceed one-eighth of an inch.

Border and rules.

In front and against the space or square, which the voter uses to indicate his choice of candidates, extending the length of each column shall be a full-face border not less than a quarter of an inch in width. A single light-face rule shall be used to separate the members of each group of candidates, except presidential electors, each group of presidential electors, surnames of candidates for President and Vice-President of the United States and their party designation shall be separated by a heavy-faced rule into parties.

A heavy-faced rule shall be used between each group of candidates for different offices. Each line upon which the name of the candidate and his political designation is printed shall be three and three-quarter inches in length, including the square for marking. The mar-

Margin.

gin or border of the paper outside of the printing on the ballot shall not exceed one-half inch. The names on said ballot shall be arranged so that said ballot may be as nearly as possible square in form.

Voters' square.

The space or square in which the voter places cross × to indicate his choice of candidates shall be an independent space or square printed from heavy-faced rule and shall be independent of all other rule or lines on the ballot.

Section 57 amended.

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

Numbered coupon at top.

57. Each ballot shall have at the top thereof a perforated coupon the width of the ballot above the perforated line. The coupon shall be numbered from one consecutively to the number of ballots delivered to and received by the election officers of the respective polling places. Upon the coupon and above the perforated line shall be the words: "Ballot No. (number in figures)."

"To be torn off by the Judge of Election." "Fold to this line." Below the perforated line shall be printed the words: "Official Ballot ....., city, town, &c., of ....., Ward ....., Election District No. ....; November .., 19... John Doe, County Clerk." The blank spaces shall be filled in with the name of the proper city or other municipality, and the ward and district numbers, and the name of the county clerk shall be a facsimile of his signature. The face of the official ballot shall be substantially in the following form: Face of ballotfi

BALLOT No 23.

TO BE TORN OFF BY THE JUDGE OF ELECTION.

FOLD TO THIS LINE.

(Perforated line.)

OFFICIAL BALLOT.

City of ..... Ward No..... Election District No..... November 5th, 1912. JOHN DOE, *County Clerk.*

X TO VOTE FOR ALL THE ELECTORS OF ANY PARTY, MARK A CROSS X IN THE SQUARE AT THE LEFT OF THE SURNAMES OF THE CANDIDATES FOR PRESIDENT AND VICE-PRESIDENT FOR WHOM YOU DESIRE TO VOTE.

TO VOTE FOR PART OF THE ELECTORS OF ANY PARTY, MARK A CROSS X IN THE SQUARE AT THE LEFT OF THE NAME OF EACH ELECTOR FOR WHOM YOU DESIRE TO VOTE. VOTE FOR FOURTEEN ELECTORS.

PRESIDENT AND VICE-PRESIDENT. OF THE UNITED STATES.

REPUBLICAN.

☐ TAFT AND MURPHY.

ELECTORS.

- ☐ GRIFFITH W. LEWIS
- ☐ WILLIAM T. READ
- ☐ ROBERT E. HAND
- ☐ ISAAC T. NICHOLS
- ☐ AUSTEN COLGATE
- ☐ GEORGE W. F GAUNT
- ☐ HARRY D. LEAVITT
- ☐ JOHN D. PRINCE
- ☐ WILLIAM W. SMALLEY
- ☐ CARLTON B. PIERCE
- ☐
- ☐

DEMOCRAT.

☐ WILSON AND UNDERWOOD.

ELECTORS.

- ☐ JAMES A. C. JOHNSON
- ☐ JAMES F. FIELDER
- ☐ WILLIAM C. GEBHARDT
- ☐ JOHN W. SLOCUM
- ☐ RICHARD FITZHERBERT
- ☐ GEORGE C. LOW
- ☐ J. WARREN DAVIS
- ☐ THOMAS BARBER
- ☐ JACOB C. PRICE
- ☐
- ☐

X TO VOTE FOR A PERSON, MARK A CROSS X IN THE SQUARE AT THE LEFT OF THE NAME OF THE PERSON FOR WHOM YOU DESIRE TO VOTE.

GOVERNOR.	VOTE FOR ONE.
☐ WALTER E. EDGE = REPUBLICAN	
☐ GEORGE S. SILZER = DEMOCRAT	
☐	

X TO VOTE FOR A PERSON, MARK A CROSS X IN THE SQUARE AT THE LEFT OF THE NAME OF THE PERSON FOR WHOM YOU DESIRE TO VOTE.

CONGRESSMAN.	VOTE FOR ONE.
☐ WILLIAM HUGHES = DEMOCRAT	
☐ THOMAS F. MCCRAN = REPUBLICAN	
☐	

SENATOR.	VOTE FOR ONE...
☐ JOHN HINCHLIFFE = DEMOCRAT	
☐ JOHN D PRINCE = REPUBLICAN	
☐	

MEMBER OF ASSEMBLY.	VOTE FOR FIVE.
☐ WESLEY CHAMBERLAIN = DEMOCRAT	
☐ JAMES J CROWLEY = DEMOCRAT	
☐ HARRY JOELSON = DEMOCRAT	
☐ CHARLES P LYNCH = DEMOCRAT	
☐ THOMAS F. MORGAN = DEMOCRAT	
☐ RANDALL B LEWIS = REPUBLICAN	
☐ JAMES PARKER = REPUBLICAN	
☐ LEONARD PIKAART = REPUBLICAN	
☐ GARRET H. VERMEULEN = REPUBLICAN	
☐ WILLIAM W. WATSON = REPUBLICAN	
☐	

SHERIFF.	VOTE FOR ONE.
☐ JOHN BURHANS = DEMOCRAT	
☐ AMOS H. RADCLIFFE = REPUBLICAN	
☐	

MAYOR.	VOTE FOR ONE.
☐ AUG. A. FISHER = REPUBLICAN	
☐ ANDREW F. MCBRIDE = DEMOCRAT	
☐	

JUSTICE OF PEACE.	VOTE FOR ONE.
☐ CHARLES R. BACON = REPUBLICAN	
☐ WILLIAM K. DEVEREAUX = DEMOCRAT	
☐	

CONSTABLE.	VOTE FOR ONE.
☐ JOHN RANCIER = REPUBLICAN	
☐ FRANK P. VAN NOORT = DEMOCRAT	
☐	

Blank spaces filled.

All spaces except the spaces where the voter is to mark the ballot or to write or paste a name thereon, shall be printed in with scroll or filling, to guide the voter against marking in the wrong place.

Section 61 amended.

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

Method of voting.

61. The following method of voting shall be observed: Each voter shall first give his full name and address to the member of the election board having charge of the poll-book, and in municipalities requiring personal registration shall sign his name therein, and said member of said election board, having ascertained that said voter is registered as a qualified voter shall place in front of each name as they appear the consecutive poll number of each voter. Thereupon the member of the board having charge of the ballots shall hand to the voter one official ballot, numbered to correspond with the poll number of the voter, allowing for spoiled ballots, if any, and at the same time shall call off said ballot number to the member having charge of the poll book, who shall make certain that the ballot number and poll number agree, allowing for spoiled ballots, if any. The officer having charge of the ballots shall fold the ballot before handing it to the voter, so that no part of the face of the ballot is observable, and leaving the face of the coupon exposed. No ballots shall be kept in the booth. The voter shall thereupon retire into the polling booth, unless physically unable to do so; he shall indicate his choice among the candidates for the offices in question by making a cross $\times$ in black ink or black pencil opposite the name of each candidate for whom he desires to vote in the space or square indicated upon the ballot for that purpose, or by writing or pasting the name of any other person and making a cross in the square at the left. The voter may vote for an entire group of candidates for Presidential electors by making a cross in the space or square at the left of the surnames of the candidates for President and Vice-President for whom he desires to vote. If a voter does not desire to vote for all the Presi-

Signature.

Handed folded ballot.

Preparation of ballot by voter.

Voting for presidential electors.

dential electors of the same party he must not mark a cross × in the space or square at the left of the surnames of the candidates for President and Vice-President, he must mark a cross × in the space or square at the left of the name of each candidate for Presidential elector for whom he desires to vote. If a voter mark a cross × in the space or square at the left of the surname of any candidates for President or Vice-President of the United States and also mark a cross × in some of the spaces or squares at the left of the name of candidates for Presidential electors, not exceeding the number to be elected, it shall count as a vote for all the candidates for Presidential electors nominated by the party represented by said candidates for President and Vice-President of the United States.

Procedure after leaving booth with ballot.

Before leaving the booth the voter shall fold his ballot, so that no part of the face of the ballot shall be visible, and so as to display the face of the numbered coupon, and shall hand the ballot with the coupon undetached, to the member of the election board having charge of the ballot-box, which member shall call off the number of the ballot and the name of the voter. If the name and number agree with the record in the poll-book the election officer having charge of the poll-book shall so announce and place a check mark opposite the poll number to indicate that the person shown thereon as receiving the ballot has voted; the member of the board having charge of the registry list shall check the name of the voter thereon, and write in front thereof

Depositing ballot.

the number of such voter's ballot, and thereupon the member of the board having charge of the ballot-box, without displaying any part of the face of the ballot, shall remove the coupon from the top of the ballot, and place the ballot in the box and the coupon on a file string. The member of the board having charge of the ballot-box shall keep the ballot in full view of the voter and the other election officers until it is deposited, and the voter may take hold thereof, with the member of the board having charge of the ballot-box, until it is

No ballots optside polls.

actually deposited. No official ballots (other than official sample ballots) shall be distributed outside the polling place. When one ballot-box is filled with ballots,

the board shall seal the same and provide another. No envelope shall be used for enclosing the ballots on election day. Said coupons and all spoiled and unused ballots shall be placed inside the ballot-boxes and returned to the municipal clerk therewith. No envelope.

6. Section forty (40) of the act to which this is an amendment shall be and the same is hereby amended so as to read as follows: Section 40 amended.

40. The ballots to be used at primary elections held pursuant to this act and to the act to which this act is a supplement, and the supplements to and amendments of said act, shall be made up and printed substantially in the following form: Form of primary ballot.

Each ballot shall have at the top thereof a coupon at least two inches square extending above a perforated line. The coupon shall be numbered for each of said political parties, respectively, from one consecutively to the number of ballots delivered and received by the election officers of the respective polling places. Upon the coupon and above the perforated line shall be the words "To be torn off by the judge of election. Fold to this line." Below the perforated line shall be printed the words "Democratic Primary Ticket," or "Republican Primary Ticket," or, as the case may be, naming the proper political party, as provided in this act; next there shall be printed the name of the municipality and number of the ward and election district in which the ballot is to be voted, and the date of the primary election and the name of the municipal clerk, which name shall be a facsimile of the signature of the said clerk. Next shall be printed directions instructing the voter how to indicate his choice for each office or position, and for how many persons to vote, as for instance, "Mark a cross X in the square at the left of the name of the person for whom you wish to vote," "Vote for one," "Vote for two," or a greater number, as the case may be. The names of all candidates for the same office shall be printed in alphabetical order under the several designations of the office to be voted for, unless grouped as provided in section thirty-five of this act. A single light-faced rule shall be used to separate the different names in each group of candidates. A heavy-faced rule

Coupon.

Certain printed directions.

Names arranged alphabetically.

Groups separated.

shall be used between each group of candidates for different offices. The designation named by candidates in their petitions for nomination, as provided by law, shall be printed in a second column in as large type as the space will allow. At the left and opposite the name of each candidate for office, or for the position of delegate, shall be printed a square, at least one-quarter of an inch square, in which the voter is to indicate his choice. The following is an illustration of the said form of ballot:

Voter's square.

Illustration.

No. 75.

To be torn off by the Judge of Election.

Fold to this line.

. . . . . .

Democratic Primary Ticket.

City of Newark. Ward No. 5. Election District No. 4.

September 22, 1909. John Doe, City Clerk.

Mark a cross X in the square at the left of the name of the person for whom you wish to vote.

For Governor. *Vote for one.*

	THOMAS JONES.	
	JACOB SMITH.	
	HENRY STONE.	

For Mayor. *Vote for one.*

	EDWARD HALL.	*for Commission Charter*
	GEORGE JACKSON.	*Cleveland Democrat.*
	PETER RANDALL.	

For United States Senator. *Vote for one.*

	CHARLES BLACKSTONE.
	WILLIAM KENT.

using so much of said form as may be applicable to the current primary election and extending the same to provide for cases not therein specified, and a like ballot shall be printed for all other political parties. There shall be no endorsement upon the back of any ballot.

Official ballots confined to pollingroom.

The distribution and use of official ballots at any primary election shall be confined exclusively to the polling room, as in this act directed. The board of registry and election shall hand to each voter the ballot he is entitled to cast. Should any voter to whom an official ballot has been handed spoil or render the same unfit for use, he shall return the one so spoiled or unfit for use and obtain another from the board of registry and election, but no more than two official ballots shall be furnished to any voter, except at the discretion of said board.

Spoiled ballots.

7. This act shall take effect immediately.

Approved April 2, 1912.

CHAPTER 372.

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

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

Size of election districts.

1. No election district within this State shall contain more than four hundred voters, except in an election district wherein there may be located a home or institution wherein persons entitled to vote may reside, and

in any such district the number of voters shall be as near four hundred as possible. Immediately after this act goes into effect, the governing board or body in every city, borough, town, township, village or other separate municipality, shall examine the registry list of each election district within any such city, borough, town, township, village or other separate municipality, and if it shall appear from such examination, or from other available sources of information that there is therein any election district in which over four hundred votes were cast at the last general election, the said governing board or body shall immediately readjust the boundary lines of the election districts so that no election district shall contain over three hundred and fifty registered voters. Whenever thereafter at any general election, in any election district, over four hundred votes shall have been cast, the said governing board or body, as aforesaid, shall again readjust the boundary lines of election districts and shall have power to consolidate any number of districts and resubdivide the same; *provided,* that in every division, change or readjustment of the boundary lines of such election districts, the geographical compactness of each district shall be maintained and the lines of such district shall not extend beyond the boundary lines of the ward in the city, borough, town, township or village in which such district is located.

Readjustment of district lines.

Proviso.

It shall be the duty of the Secretary of State, within five days after the passage of this act, to send by mail to the clerk of each municipality in this State a copy of this section of this act. It shall be the duty of said clerk to forthwith cause such copy to be laid before the said governing board or body of such municipality; and said board shall proceed to carry out the provisions of this section of this act. It shall not be lawful for such board to make division of any election district between the twentieth day of April and the day of the general election in any year. The clerk of any city, borough, town, township, village or other separate municipality may make application to the justice of the Supreme Court holding the circuit court in his county, for an

Municipal clerks notified.

Divisions made.

order directing the county clerk of such county to transmit to such municipal clerk, the registry books of any election district in his municipality, for the purpose of such re-districting, which order shall direct the time within which such registry books shall be returned to such county clerk. Clerk to obtain registry books from county clerk.

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

3. This act shall take effect immediately.

Approved April 3, 1912.

CHAPTER 373.

An Act to amend an act entitled "An act providing for the pensioning of police officers and policemen in certain municipalities of this State," approved March thirtieth, one thousand nine hundred and eleven.

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

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

3. Any member of such police force who shall have received permanent disability in the performance of his duty shall, upon the certificate of the police surgeon or other physician designated for that purpose by the common council, board of police commissioners or other body having charge of the police department of such municipality and with the approval of such body, be retired upon a pension equal to one-half of his salary at the time of his retirement. Retirement by disability.

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

6. There shall be appointed by the mayor or chief executive officer, with the advice and consent of the Police pension commission.

common council, board of police commissioners or other body having charge of the police department of such municipality, a police pension commission consisting of four members, one of whom shall be a superior officer of such police force and one a patrolman, and two citizens who are not members of such police force.

Terms. The members of such police pension commission shall serve for a term of four years or until their successors are appointed and duly qualified and shall not receive any compensation for their services.

Oath. Each person so appointed to such police pension commission shall take an oath of office before the mayor or other chief executive officer of such municipality to the effect that he will faithfully discharge the duties of the office.

Section 8 amended. 3. Section eight of the act of which this act is amendatory be and the same is hereby amended so as to read as follows:

Adoption of act. 8. The board of aldermen, common council, board of police commissioners or other body having charge of the police department of any such municipality of this State may adopt the provisions of this act by an ordinance or resolution duly adopted by the board of aldermen, common council, board of police commissioners or other body having charge of the police department of such municipality.

4. This act shall take effect immediately.

Approved April 3, 1912.

CHAPTER 374.

An Act relating to penalties accruing incident to the railroad and canal taxes assessed for the year one thousand nine hundred and eleven payable in the year one thousand nine hundred and twelve.

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

Time for paying taxes on railroads and canals. 1. Penalty shall not accrue respecting tax incident to railroad and canal property pursuant to chapter two

hundred and eight, laws of one thousand eight hundred and eighty-eight and acts amendatory thereof and supplementary thereto assessed for the year one thousand nine hundred and eleven payable in the year one thousand nine hundred and twelve, if such tax be paid within fifteen (15) days after the final certification of the State Board of Assessors to the State Comptroller of the amount thereof due by any such railroad and canal company.

2. This act shall take effect immediately.

Approved April 3, 1912.

CHAPTER 375.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and twelve," approved July sixth, 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 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 twelve: Supplemental appropriations.

I.

COUNTY LUNATIC ASYLUMS.

For additional allowance for the support of county patients in the Essex county lunatic asylum, seven thousand dollars. County asylums.

In the Passaic county lunatic asylum, two thousand dollars.

2.

BLIND AND FEEBLE-MINDED.

Feeble-minded women.

For additional allowance for clothing, maintenance, support and instruction of feeble-minded persons, inhabitants of this State, five thousand dollars.

For additional allowance for maintenance, support and instruction of feeble-minded women, one thousand dollars.

For additional allowance for erecting and equipping a new building for feeble-minded women at the home for the care and training of feeble-minded women, Vineland, one thousand dollars.

3.

COLLATERAL INHERITANCE TAX.

Collection of inheritance tax.

For additional allowance 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 thousand dollars.

4.

REFUNDING TAXES ON MISCELLANEOUS CORPORATIONS.

Refunding corporation taxes.

To the Union Iron Works Company, for the purpose of refunding duplicate payment of tax levied against said company for the year one thousand nine hundred and eleven, said company having twice paid the State franchise tax, on June twenty-seventh, and June thirtieth, one thousand nine hundred and eleven, two thousand dollars.

5.

STENOGRAPHIC REPORTERS.

Stenographers.

For additional allowance for amount to be refunded to various counties in this State for salaries of steno-

graphic reporters appointed by the justices of the Supreme Court, pursuant to chapter eighty-one of the laws of one thousand nine hundred and one, eight hundred dollars.

6.

OYSTER AND CLAM COMMISSIONER, DISTRICT OF SHARK RIVER, IN THE COUNTY OF MONMOUTH.

Shark river oyster district.

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 and seventeen dollars.

7.

OFFICE OF THE COMPTROLLER.

Comptroller.

For additional allowance for compensation for clerical services and expenses, one thousand dollars.

8.

OFFICE OF THE TREASURER.

Treasurer.

For additional allowance for compensation for clerical services in the office of the Treasurer, four hundred and sixty-seven dollars.

For additional allowance for blanks and stationery, for use in the office of the Treasurer, two hundred dollars.

9.

COUNCIL OF PROPRIETORS OF WEST NEW JERSEY.

Acquire property in Burlington.

For the purpose of carrying into effect the provisions of chapter one hundred and one, laws of one thousand nine hundred and eleven, two thousand five hundred dollars.

10.

STATE BOARD OF ASSESSORS.

State assessors.

For additional allowance for postage, expressage and other incidental expenses for the State Board of Assessors, three hundred dollars.

For additional allowance 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, one thousand five hundred dollars.

11.

BOARD OF EQUALIZATION OF TAXES.

Equalization of taxes.

For additional allowance for salary of assistant clerk, one hundred and seventy-five dollars.

For additional clerical services, one hundred and forty dollars.

For services of expert stenographer at hearings, seven hundred and fifty dollars.

12.

GEOLOGICAL SURVEY.

Geological survey.

For additional allowance 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, two thousand dollars.

For salaries and expenses of archæological investigations in New Jersey and the acquisition of valuable archæological material, five hundred dollars.

For the completion of the survey of Shark River inlet, including test borings and soundings, as authorized by chapter three hundred and five, laws of one thousand nine hundred and eleven one thousand two hundred and fifty dollars.

13.

FOREST PARK RESERVATION COMMISSION.

Forest park reservation.

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 maintenance of State forest lands, seven hundred dollars.

For the purchase of forest lands, pursuant to chapter forty-seven, laws of one thousand nine hundred and five, three hundred dollars.

14.

EXECUTIVE DEPARTMENT.

Governor's office.

For additional allowance for compensation for assistants in the executive department, three hundred dollars.

For additional allowance for blanks and stationery for the use of the executive department, five hundred dollars.

For additional allowance for postage, expressage and other incidental expenses for the executive department, five hundred dollars.

15.

DEPARTMENT OF BANKING AND INSURANCE.

Banking and insurance.

For additional allowance for the Deputy Commissioner of Banking and Insurance, for salary, five hundred dollars.

For additional allowance for compensation for assistants in the Department of Banking and Insurance, five thousand dollars.

For additional allowance for postage, expressage and other incidental expenses for the Department of Banking and Insurance, two thousand five hundred dollars.

For additional allowance for compensation of building and loan association examiners, two thousand four hundred and fifty dollars.

For additional allowance for actual and necessary traveling and incidental personal expenses of building and loan association examiners, one thousand one hundred dollars.

16.

SUPREME COURT.

Supreme court.

For additional allowance for 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, one thousand dollars.

For additional allowance for blanks and stationery for use of the Chief Justice and Associate Justices of the Supreme Court, and incidental expenses, four hundred dollars.

17.

OFFICE OF THE CLERK OF THE SUPREME COURT.

Supreme court office.

For the purchase of an adding machine for use in the office of the Clerk of the Supreme Court, three hundred and seventy-five dollars.

18.

OFFICE OF CLERK IN CHANCERY.

Chancery office.

For additional allowance for compensation for clerical service in the office of the Clerk in Chancery, eight hundred and sixty dollars.

For additional allowance for postage, expressage and other incidental expenses for the office of the Clerk in Chancery, one hundred dollars.

19.

COURT OF ERRORS AND APPEALS.

For additional allowance for compensation of officers of the Court of Errors and Appeals, two hundred and fifty dollars. Court of errors.

20.

AGRICULTURAL EXPERIMENT STATION.

For additional allowance 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. Experiment station.

For completing the equipment and buildings of the department of poultry husbandry, pursuant to chapter fifty-two, laws of one thousand nine hundred and eleven, three thousand dollars.

For the purpose of meeting the expenses of the experiment orchards at Vineland and High Bridge, three thousand one hundred forty-eight dollars and thirty-two cents.

For additional allowance for maintenance and operation of the department of poultry husbandry, pursuant to chapter fifty-two, laws of one thousand nine hundred and eleven, two thousand dollars.

For the extension of the buildings and equipment for floricultural investigations, pursuant to chapter one hundred and thirty, laws of one thousand nine hundred and eleven, nine thousand dollars.

For additional allowance 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, ten thousand dollars.

21.

STATE AGRICULTURAL COLLEGE.

Agricultural college.

For additional allowance 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, and amendments thereto, two thousand five hundred and twenty dollars, payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

For repairs and improvements to short-course building, two thousand dollars.

For college farm roads and grading, three thousand dollars.

For farm buildings for dairy husbandry, twelve thousand dollars.

22.

STATE BOARD OF HEALTH.

Board of health.

For additional allowance pursuant to the provisions of chapter sixty-eight, laws of one thousand eight hundred and eighty-seven, and the amendments and supplements thereto, one thousand five hundred and twenty-five dollars.

For additional allowance 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, one hundred dollars.

For additional allowance for the purpose of carrying into effect the provisions of chapter one hundred and thirty-nine, laws of one thousand nine hundred and six, six hundred dollars.

For the purpose of carrying into effect the provisions of chapter twenty-four of the laws of one thousand nine hundred and twelve, five thousand dollars.

To George Collmer, for refund of penalty and costs paid by him in error in the case of the State Board of

Health *vs.* Henry Schroeder, sixty-two dollars and seventy-six cents; said repayment to be made upon vacation of the satisfaction of the Schroeder judgment and upon the approval of the Attorney-General.

23.

STATE HOUSE COMMISSION.

State house commission.

For furnishings, furniture, fixtures and equipment of offices and vaults for the State Comptroller and State Treasurer, in new west wing of State Capitol, ten thousand dollars.

For furnishings, furniture, fixtures and equipment of office of the Clerk in Chancery, in the new west wing of State Capitol, two thousand dollars.

For the State House Commission for the purpose of making such alterations and additions to the present Capitol as may be deemed necessary, pursuant to chapter thirty-eight, laws of one thousand nine hundred and twelve, twenty thousand dollars.

For the State House Commission for the purpose of acquiring, by purchase or by condemnation, in the name of the State, lands in the city of Trenton, with buildings thereon erected, lying on the north side of Front street which were formerly part of the Old Barracks, as originally constructed, and for any necessary alterations, restoration, reconstruction and furnishing of same, as provided by chapter two hundred and forty-two, laws of one thousand nine hundred and eleven, thirty thousand dollars.

24.

ADJUTANT-GENERAL'S DEPARTMENT.

Revolutionary records.

For additional allowance 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 dollars.

25.

QUARTERMASTER-GENERAL'S DEPARTMENT.

Quartermaster-general.

For additional allowance for clerks, for salaries, one hundred 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, eight hundred forty-one dollars and twenty-five cents.

26.

STATE BOARD OF AGRICULTURE.

Board of agriculture.

For additional allowance for the purpose of carrying out the provisions of chapter fifty-four, laws of one thousand nine hundred and eleven, five hundred dollars.

For additional allowance for the State Board of Agriculture, one thousand dollars.

27.

TUBERCULOSIS COMMISSION.

Tuberculosis.

For additional allowance for expenses and payments by the State Tuberculosis Commission, five thousand dollars.

28.

NEW JERSEY REFORMATORY.

Rahway reformatory.

For additional allowance for furniture, appliances and repairs (including industrial departments), three thousand dollars.

For additional allowance for the superintendent, for payments to discharged inmates and recapturing escapes, five hundred dollars.

For emergencies in building and construction, et cetera, already authorized, seven hundred and fifty dollars.

For additional allowance for materials for the construction of a strong wall of inclosure, two thousand dollars.

For complete switchboard, with necessary connections thereto, seven hundred dollars.

For expenses of superintendent in attending National Prison Conference at Omaha, Nebraska, October twelfth to nineteenth, one thousand nine hundred and eleven, being appointed an official delegate by the Governor to represent the State, one hundred six dollars and seventy-two cents.

29.

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 eleven, eight thousand six hundred and sixteen dollars and ninety-eight cents.

For water supply consisting of wells, tank, engine, plumbing, et cetera, three thousand two hundred dollars.

For repairs to buildings, plumbing, heating, et cetera, two thousand dollars.

For advertising proposals for the installation of hydrotherapeutic outfit and laundry machinery, seventy-one dollars and seventy-seven cents.

For purchase of cattle, one thousand five hundred dollars.

For screening windows, five thousand dollars.

For repairs to floors, and building and repairing fences, two thousand five hundred dollars.

For painting buildings and fences, five hundred dollars.

For new furniture, one thousand five hundred dollars.

For two new boilers, six thousand five hundred dollars.

For steam radiators, piping, plumbing, et cetera, ten thousand dollars.

30.

STATE HOSPITAL AT MORRIS PLAINS.

Morris Plains asylum.

For purchase of additional land, pursuant to chapter ninety-three, laws of one thousand nine hundred and five, three thousand dollars.

For new boiler plant, twentythousand dollars.

For re-bricking boiler plant, six thousand dollars.

For electric-wiring main building, twenty-six thousand six hundred dollars.

For furnishing new fire department house, one thousand six hundred dollars.

For furnishing new tubercular building, two thousand dollars.

For fire insurance premiums, two thousand dollars.

For composite flooring in rooms, six hundred dollars.

For research work, two thousand five hundred dollars.

31.

HOME FOR FEEBLE-MINDED WOMEN, VINELAND.

Vineland home for feeble-minded.

For additional boiler installation, consisting of two boilers, three thousand five hundred dollars.

For enlarging boiler house, two thousand three hundred dollars.

For tunnel to connect present building with new building, three thousand dollars.

For laundry equipment, including dryers, one thousand and sixty dollars.

For additional wings to tuberculosis shack, two thousand dollars.

For research work, one thousand dollars.

To cover assessment made on the State institution for Feeble-Minded Women at Vineland, by Landis

township, Cumberland county, for construction of macadam road, to gain access to the institution, eight thousand dollars.

32.

VILLAGE FOR EPILEPTICS.

Epileptic village.

For a water tank and tower, three thousand five hundred dollars.

For additional allowance for construction of dam (Phillip I. Craig), ninety dollars.

For ranges, electric light fixtures, etc., one thousand six hundred and fifty dollars.

For the purchase of an automobile, two thousand five hundred dollars.

For additional allowance for tuberculosis shack, two thousand dollars.

For additional allowance for a water system (The Harrison Construction Company), ninety-seven dollars and one cent.

For additional allowance for enlarging and improving the sewer system (United Paving Company and engineer), five hundred seventy-seven dollars and fifty-five cents.

For additional allowance for furnishing new school building and new patients' cottage (J. B. Van Sciver Company), three hundred sixty-one dollars and seventy-five cents.

33.

STATE PRISON.

State prison.

To Dr. G. N. J. Sommers, pursuant to chapter two hundred and thirty, laws of one thousand nine hundred and eleven, one hundred and sixty-two dollars.

To St. Francis Hospital, for use of operating room, care and board of W. B. Turner, eighty-three dollars, thirty-six cents.

For traveling expenses of Inspectors, for the years one thousand nine hundred and ten, and one thousand nine hundred and eleven, six hundred dollars.

For painting corridors, cells, et cetera, five hundred dollars.

For anti-toxin vaccine for prevention of typhoid, five hundred dollars.

For tiling cookhouse kitchen, one thousand five hundred dollars.

To James A. Dowling, for extra allowance on steam heating contract, thirty-nine dollars, forty cents.

For the purpose of perfecting a system of identification of prisoners as provided by chapter one hundred and ninety-one, laws of one thousand nine hundred and eleven, five hundred dollars.

34.

TABLET OR MONUMENT ON BATTLEGROUND OF CHESTNUT NECK.

Tablet at Chestnut Neck.

For additional allowance 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, six hundred and ten dollars and forty-five cents.

35.

NATIONAL GUARD.

Military.

For furnishing and equipping the armory of second battalion, second infantry, at Elizabeth, installing rifle ranges, kitchen and mess equipment, and grading and improving surrounding grounds, sidewalks and approaches, nine thousand dollars.

For furnishing and equipping the armory of battery A, field artillery, East Orange, constructing gallery, installing pistol ranges, grading and improving surrounding grounds and sidewalks, nine thousand dollars.

For maintaining, heating and lighting armories of battery A, at East Orange, and second battalion, second regiment, at Elizabeth, at one thousand dollars each, two thousand dollars.

For traveling expenses of United States army officer detailed to the State by the war department as instructor-inspector of the National Guard, three hundred dollars.

For pay of clerk attached to division headquarters, three hundred dollars.

For additional allowance for uniforms and equipments for officers of the National Guard and 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, for the fiscal year ending October thirty-first, one thousand nine hundred and ten, two hundred eighty-eight dollars and fifty-five cents; and for the fiscal year ending October thirty-first, one thousand nine hundred and eleven, four hundred thirty-seven dollars and seventy cents.

To the City of Trenton, for amount of Ward alley pavement assessment levied against the armory at Trenton, four hundred twenty-three dollars and seventy-five cents.

For amount required to reimburse James Morford, second troop cavalry, for a horse killed in connection with annual encampment at Sea Girt in the year one thousand nine hundred and eleven, two hundred and fifty dollars.

For fire insurance premiums on armories of battery A, at East Orange, and second battalion, second regiment, at Elizabeth, three thousand dollars.

For extraordinary repairs, alterations and additions required for the preservation and equipment of regimental armories, as follows: Second regiment armory, four hundred and twenty-five dollars; third regiment armory, three thousand four hundred and fifty dollars; fourth regiment armory, five thousand dollars; fifth regiment armory, seven hundred dollars.

36.

HOME FOR DISABLED SOLDIERS AT KEARNEY.

Kearny home.

For painting and general repairs to the buildings of the Home for Disabled Soldiers at Kearney, seven thousand five hundred dollars.

37.

DEPARTMENT OF LABOR.

Labor bureau.

For additional allowance for printing, postage, expressage and other incidental expenses, one thousand three hundred and fifty dollars.

For additional allowance for expenses of commissioner, assistant commissioner and inspectors, two thousand five hundred dollars.

For salaries of expert assistants, three thousand five hundred dollars.

For additional allowance for the Commissioner of Labor for salary, one thousand four hundred fifty-eight dollars and twenty-one cents.

For additional allowance for the Assistant Commissioner of Labor for salary, five hundred eighty-three dollars and twenty-one cents.

Salary of newly appointed inspectors, one thousand seven hundred fifty dollars.

38.

COMMISSION FOR AMELIORATING THE CONDITION OF THE BLIND.

Blind.

For additional allowance for the purpose of carrying out the provisions of chapter one hundred and thirty-six, laws of one thousand nine hundred and nine, two thousand nine hundred seventy-three dollars and thirty-eight cents.

39.

RIPARIAN COMMISSION.

For stationery, office furniture, and surveys, one thousand dollars. Riparian commission.

40.

SCHOOL FUND EXPENSES.

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. School fund.

41.

PUBLIC LIBRARY COMMISSION.

For additional allowance for the purpose of carrying into effect the provisions of chapter sixty-two, laws of one thousand nine hundred; for clerical assistants, necessary traveling and other expenses incurred by the commission, including the cost of conducting summer school in library training or library institutes, 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, three thousand one hundred and twenty dollars. Library.

42.

TEACHERS' RETIREMENT FUND.

To the State Treasurer, for additional allowance for clerical services, three hundred dollars. Retirement fund.

43.

SANATORIUM FOR TUBERCULOUS DISEASES.

Glen Gardner sanatorium.

For water system, nine thousand dollars.

For fire insurance premiums, three thousand seven hundred dollars.

For completion of station road, seven thousand five hundred dollars.

44.

ATTORNEY-GENERAL'S DEPARTMENT.

Legal expenses.

For additional allowance for compensation and expenses of assistants employed by the Attorney-General, sixty dollars.

For compensation and expenses of special counsel employed in the Chancery proceedings now pending between the State of New Jersey and the Morris Canal and Banking Company, the Lehigh Valley Railroad Company, and others, five thousand dollars.

For Robert H. McCarter, on account of services in the Morris Canal and Banking Company tax proceedings now under review before the Supreme Court of the United States, two thousand five hundred dollars.

For John R. Hardin, for services as special counsel in connection with the assessment and collection of taxes due from the various railroads of this State, five thousand dollars.

For John Franklin Fort, for services as special counsel in connection with the assessment and collection of taxes due from the various railroads of this State, five thousand dollars.

For Edmund Wilson, Attorney-General, for actual disbursements incurred in connection with the preparation, indictment and trial of criminal cases in Atlantic county, pursuant to a formal order made by the Supreme Court judge presiding in that judicial district, said order being in conformity with chapter one hundred eighty-four, laws of one thousand nine hundred and eleven, two thousand five hundred dollars.

45.

COMMISSION TO INQUIRE AS TO THE PRACTICABLE EXTENSION OF NAVIGATION IN THE PASSAIC RIVER.

Passaic navigation.

For the purpose of carrying into effect the provisions of a bill pending, entitled "An act authorizing the appointment of a commission to inquire as to the practicable extension of navigation in the Passaic river between the cities of Passaic and Paterson and making appropriation for incidental expenses," one thousand dollars; provided said bill becomes a law.

Proviso.

46.

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, two thousand three hundred dollars.

47.

STATE HOME FOR BOYS.

Jamesburg school.

To renew well boring and purchase and install pipe fittings and pump, et cetera, one thousand dollars.

For fire insurance premiums, four thousand five hundred dollars.

For additional boilers, pipes, fittings, et cetera, for heating plant to heat new school building, and add to the plant two cottages now heated by furnace, ten thousand two hundred and fifty dollars.

For renewal of and additions to and furnishings for manual training, one thousand dollars.

For furnishing and equipping new school building with hot water boiler, desks, furniture, school and light supplies, wiring and electric fixtures, three thousand dollars.

For traveling expenses of John G. Kalleen, delegate, appointed by the Governor to the American Prison Association, October fourteenth to nineteenth, one thousand nine hundred and eleven, at Omaha, Nebraska, one hundred and two dollars and twenty-nine cents.

48.

STATE HOME FOR GIRLS.

Girl's home.

For additional allowance for the trustees of the New Jersey State Home for Girls, for the support and necessary repairs to the home, five thousand dollars.

For research work, five hundred dollars.

For fire insurance premiums on new cottage, three hundred dollars.

For manual training teacher, carpentry and equipment, four hundred dollars.

For remodelling heating and boiler plant, fifteen thousand dollars.

For furniture for new cottage, two thousand five hundred dollars.

For pig pen, two hundred and fifty dollars.

For cement walks and grading, seven hundred and fifty dollars.

49.

ADVERTISING.

Advertising.

For additional allowance for advertising proclamations issued by the Governor, notices of the Attorney-General in relation to delinquent miscellaneous corporations, and notices of the Comptroller in regard to public printing, et cetera, two thousand dollars.

50.

MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

Bordentown school.

For insurance and repairs, one thousand dollars.

For installation of a new water supply, three thousand five hundred dollars.

For incubators, brooders, chicken houses, sheds and other buildings, five hundred dollars.

For purchase of cattle, horses, and other stock, one thousand five hundred dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

51.

NEW JERSEY SCHOOL FOR THE DEAF.

Deaf school.

For additional allowance 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, thirteen thousand dollars.

For furnishing the new dormitory, two thousand three hundred and twenty-five dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

52.

COMMISSIONER OF EDUCATION.

Blanks and stationery.

For additional allowance for blanks and stationery, three thousand dollars; the moneys in this item appropriated shall be deducted in the same manner as the moneys heretofore appropriated to the Superintendent of Public Instruction are required to be deducted pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

53.

STATE NORMAL SCHOOL AT MONTCLAIR.

Montclair.

For grading and improving the grounds, seven thousand five hundred dollars; payment under this account

to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

54.

LIVE STOCK COMMISSION.

Live stock commission.

For additional allowance 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, three thousand dollars.

55.

STATE REFORMATORY FOR WOMEN.

Reformatory for women.

For repairs to barns, two thousand dollars.

For repairs to three cottages, including plumbing and sewage disposal, six thousand dollars.

For heating two cottages, one thousand dollars.

For water supply for farm buildings and two cottages, one thousand five hundred dollars.

For equipment and furnishings for three cottages, two thousand dollars.

For expenses of managers, three hundred dollars.

For report of hydraulic engineer, one hundred and twenty-five dollars.

For stationery and postage, fifty dollars.

For fire insurance premiums, one hundred and fifty dollars.

56.

PRINTING.

Printing.

For additional allowance for printing and binding public documents, twenty thousand dollars.

For additional allowance for printing and circulation of the laws, two thousand dollars.

For printing three thousand copies of the report of

Charles Hansel, Expert, Revaluation of Railroad and Canal Property, ordered by the Senate under date of January thirtieth, one thousand nine hundred and twelve, two thousand dollars.

57.

INSPECTION OF POWER VESSELS.

Power boats.

For additional allowance for expenses of chief inspector, nineteen dollars and forty cents.

58.

TENEMENT HOUSE SUPERVISION.

Rent and incidentals.

For additional allowance for rent of offices, two hundred and fifty dollars.

For additional allowance for incidentals, postage, and expressage, two hundred and fifty dollars.

59.

STATE OYSTER COMMISSION FOR THE DISTRICT OF ATLANTIC COUNTY.

Atlantic county oyster district.

For repairs to guard boat, and operating expenses, one hundred dollars.

To Alfred B. Smith, for salary as acting superintendent from April sixth to September eighteenth, one thousand nine hundred and eleven, four hundred fifty-two dollars and seventy-six cents.

60.

DEPARTMENT OF CHARITIES AND CORRECTIONS.

Office.

For additional allowance for clerical services, five hundred dollars.

For additional allowance for blanks, stationery, postage, et cetera, one hundred and fifty dollars.

For purchase of office furniture, two hundred dollars.

61.

ANNUITY FOR WIDOWS OF GOVERNORS.

Governor's widow.

For the purpose of carrying into effect the provisions of a bill pending, entitled "An act providing for the payment of a pension to the widow of any Governor of this State," one thousand four hundred dollars; pro-

Proviso.

vided, said bill becomes a law.

62.

STATE BOARD OF EXAMINERS.

Examinations.

For additional allowance for expenses incurred by the State Board of Examiners, nine thousand five hundred dollars.

63.

NEW JERSEY HOME FOR DISABLED SOLDIERS, SAILORS, MARINES AND THEIR WIVES AND FOR THEIR WIDOWS, AT VINELAND.

Soldiers' home at Vineland.

For additional allowance for maintenance and all other expenses, eleven thousand and twenty-five dollars.

For additional allowance for fire insurance premiums, six hundred and eighty-five dollars.

For furniture and furnishing the frame building in the rear of the Home, four thousand dollars.

For plumbing, steamfitting and gasfitting and repairs to frame building in the rear of the Home, one thousand dollars.

For repairs to buildings, purchase and repair of furniture and fixtures, one thousand dollars.

For the erection of a fire escape on the frame building in the rear of the Home, three hundred and fifty dollars.

64.

STATE OYSTER COMMISSION.

Boat.

For substitution of gasoline motive power for steam,

and necessary incidental alterations and repairs to steam watch boat "Cypher", four thousand dollars.

65.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Salaries and expenses.

For additional allowance for salaries and expenses of the Board of Public Utility Commissioners, twenty-five thousand dollars.

66.

STATE WATER-SUPPLY COMMISSION.

Water-supply commission.

For additional allowance for engineers, inspectors, field work, et cetera, one thousand dollars.

For expenses incident to the appraisal of such properties of water companies as may be deemed necessary to the development of the proposed Joint City Water Supply, fifteen thousand dollars.

67.

CIVIL SERVICE COMMISSION.

Civil service.

For additional allowance for salaries and expenses of the Civil Service Commission, five thousand dollars.

68.

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-six thousand seven hundred fifteen dollars and forty-six cents.

For marking and staking channels, pursuant to chapter one hundred and four, laws of one thousand nine hundred and eleven, one thousand five hundred dollars.

For additional allowance for marking and staking

Proviso. channels, five hundred dollars; *provided,* said additional sum is authorized by enactment of the present Legislature.

69.

DEPARTMENT OF ACCOUNTS.

Blanks. For blanks and stationery, one hundred and fifty dollars.

70.

LEGISLATURE.

Incidental expenses. For additional allowance for incidental and contingent expenses of the present session of the Legislature, thirty thousand seven hundred dollars; all bills to be approved by the Committee on Incidental Expenses and filed with the Comptroller before final adjournment.

71.

SEA GIRT COTTAGE.

State camp. For maintenance of cottage at Sea Girt and entertainment therein, three thousand dollars.

72.

BOARD OF EXAMINERS OF FEEBLE-MINDED, EPILEPTICS, CRIMINALS AND OTHER DEFECTIVES.

Sterilization. For expenses incurred in carrying into effect the provisions of chapter one hundred and ninety, laws of one thousand nine hundred and eleven, three hundred dollars.

73.

PASSAIC VALLEY TRUNK SEWER.

Passaic valley sewer. For legal services, expert and other witness fees, stenographers, and for other legitimate and necessary

expenses incurred and to be incurred in the suit brought by the people of the State of New York against the State of New Jersey, and the Passaic Valley Sewerage Commissioners, now pending in the Supreme Court of the United States, fifteen thousand dollars; all bills to be approved by the Attorney-General.

74.

BOARD OF FISH AND GAME COMMISSIONERS.
GAME FARM AND FISH HATCHERY.

Propagation of fish and game.

For the completion of the game farm on the site purchased in Ocean county and the fish hatchery on the site purchased in Warren county, including dwellings, fencing, machinery, implements, vehicles, horses, equipment, salaries and wages and other incidental expenses in connection therewith, thirty thousand dollars.

75.

COMMISSION TO INVESTIGATE PORT CONDITIONS.

Port facilities.

For expenses of commissioners appointed pursuant to Joint Resolution No. 3, approved March twenty-ninth, one thousand nine hundred and eleven, two thousand five hundred dollars.

76.

NEW JERSEY CONFERENCE OF CHARITIES AND CORRECTIONS.

Printing 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. 3, approved March eighth, one thousand nine hundred and twelve, six hundred dollars.

New Jersey State Library

77.

NEW JERSEY SHIP CANAL COMMISSION.

Ship canal.

For the purpose of carrying into effect the provisions of a bill pending, entitled "An act making appropriation for the extension of the government survey and the erection of monuments for the permanent location thereof on the route of the ship canal across the State of New Jersey, and for other incidental expenses in connection therewith," twenty thousand dollars; provided said bill becomes a law.

Proviso.

78.

COMMISSION TO HAVE CHARGE OF THE ENTERTAINMENT OF THE GUESTS OF THE PERMANENT INTERNATIONAL ASSOCIATION OF NAVIGATION CONGRESSES.

Care of guests at congress.

For the purpose of carrying into effect the provisions of a bill pending entitled, "An act authorizing the appointment of a commission to have charge of the entertainment of the guests of the Permanent International Association of Navigation Congresses, and making appropriation therefor," five thousand dollars; provided said bill becomes a law.

Proviso.

79.

REFUND OF RAILROAD TAX.

Refunding tax by order of court.

To the West Shore Railroad Company, for amount of State tax for the year one thousand nine hundred and ten, payable in one thousand nine hundred and eleven, paid into the State Treasury and to be refunded under an amended order of the Supreme Court entered October thirty-first, one thousand nine hundred and eleven, four hundred eighty-two dollars and fifty-seven cents, said sum to be deducted from the amount of railroad tax apportioned to counties for school purposes for said year.

The Comptroller of the Treasury is hereby authorized and empowered to adjust and repay any overpayment of tax assessed or penalty thereon, for the year one thousand nine hundred and eleven, payable in nineteen hundred and twelve, pursuant to chapter two hundred and eight, laws of one thousand eight hundred and eighty-eight, and the acts amendatory thereof and supplementary thereto, made by any railroad and canal company, and the State Treasurer is directed to pay warrants therefor issued by said comptroller, and said payments shall be deducted from the amount originally paid and the amount of money necessary for such purpose as ascertained, is hereby appropriated. Refunding overpayments.

80.

UNITED SPANISH WAR VETERANS ENCAMPMENT COMMISSION.

For the purpose of carrying into effect the provisions of a bill pending entitled "An act to create a commission to represent the State of New Jersey at the ninth annual encampment and convention of the United Spanish War Veterans to be held in the city of Atlantic City, New Jersey, September seventh to September fourteenth, one thousand nine hundred and twelve," ten thousand dollars; *provided,* said bill becomes a law. Annual meeting. Proviso.

81.

NEW JERSEY EXPOSITION COMMISSION.

For the purpose of carrying into effect the provisions of a bill pending, entitled "An act to authorize the New Jersey State Board of Agriculture to procure, set up and maintain an exhibit of the products of the farming lands of New Jersey at the Second Land and Irrigation Exposition in New York City, November fifteenth to December second, one thousand nine hundred and twelve," five thousand dollars: *provided,* said bill becomes a law. Exhibition. Proviso.

82.

PRESERVATION OF RECORDS.

Archives. For the purpose of printing the Minutes of the Assembly of New Jersey, from one thousand seven hundred and three to one thousand seven hundred and seventy-six, two thousand dollars.

83.

COMMISSION TO COMMEMORATE FIFTIETH ANNIVERSARY OF THE EMANCIPATION PROCLAMATION.

Emancipation anniversary. For the purpose of carrying into effect the provisions of a bill pending, entitled "An act providing for an exhibition and celebrating in Philadelphia to commemorate the fiftieth anniversary of the Emancipation Proclamation; creating a commission to conduct same, and making an appropriation therefor," ten thousand dollars; *provided*, said bill becomes a law.

Proviso.

84.

REVALUATION OF RAILROAD AND CANAL PROPERTY.

Revaluing railroads and canals. There is hereby appropriated for expenses of revaluation of all railroad and canal property in the State, the balance remaining unexpended on April twelfth, one thousand nine hundred and twelve, of the appropriation made in item one hundred and twelve, chapter three hundred and eighty-two, laws of one thousand nine hundred and eleven, together with the sum of six thousand dollars additional; *provided*, a bill pending, entitled "A further supplement to an act entitled 'An act concerning an inventory and appraisal of railroad and canal property, including franchises in the State of New Jersey,' approved April twelfth, one thousand nine hundred and ten," becomes a law.

Proviso.

85.

OFFICE OF THE SECRETARY OF STATE.

Secretary of State.

For additional allowance for postage, expressage and other incidental expenses for the office of Secretary of State, one thousand dollars.

For additional allowance for blanks and stationery for use in the office of Secretary of State, three thousand dollars.

For additional allowance for preserving old records by the Emery process, one thousand five hundred dollars.

For printing index to corporations, five thousand dollars.

For purchase of Smith's corporation laws at a rate not to exceed fifty cents per volume, one thousand two hundred and fifty dollars.

86.

PUBLIC ROADS.

Roads.

For additional allowance for public roads, including testing of road material, one hundred thousand dollars.

For additional allowance for expenses for clerk hire, consulting engineer, fees, stationery and actual traveling expenses, five thousand dollars.

87.

DEPARTMENT OF WEIGHTS AND MEASURES.

Weights and measures.

For additional allowance for salaries and expenses of the department of weights and measures, pursuant to chapter two hundred and one, laws of one thousand nine hundred and eleven, ten thousand dollars.

88.

SECRETARY OF STATE, DEPARTMENT OF MOTOR VEHICLE REGULATION AND REGISTRATION.

Motor vehicle department.

For additional allowance for expenses and equipment for inspectors, one thousand dollars.

For additional allowance for compensation for clerical services, five hundred dollars.

For additional allowance for postage, expressage and other incidental expenses, five hundred dollars.

For additional allowance for blanks and stationery, one thousand five hundred dollars.

For additional allowance for purchase of identification marks and dies for use in connection with the same, fifteen 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.

89.

BUREAU OF SHELL FISHERIES.

Expenses at convention.

For payment of expenses incurred by persons appointed by the Governor to represent the State of New Jersey at the annual convention of the National Association of Shell Fish Commissioners, to be held in the city of Boston, May thirteenth to fifteenth, one thousand nine hundred and twelve, pursuant to concurrent resolution passed by the present session of the Legislature, four hundred dollars.

90.

COMMISSION UPON REORGANIZATION AND CONSOLIDATION OF INTER-RELATED DEPARTMENTS OF STATE.

Commission on reorganization of State offices.

For the purpose of carrying into effect the provisions of Senate Joint Resolution entitled "Joint Resolution for the appointment of a commission to report

upon the advisability of the reorganization and consolidation of the different departments of State whose functions are inter-related," five thousand dollars; *provided,* said Joint Resolution becomes a law. Proviso.

91.

COMMISSION FOR SAN FRANCISCO EXPOSITION TO COMMEMORATE OPENING OF PANAMA CANAL.

For expenses of the commission, pursuant to chapter twenty-five, laws of one thousand nine hundred and twelve, ten thousand dollars. San Francisco exposition.

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 thirteen, 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; *provided, however,* that the appropriation hereby made for the purpose of building the new east wing to the State Capitol, the total of which appropriation is made up by sums included in the supplemental and annual appropriation bills, may be used as though the same were included in one appropriation bill and a contract for the said new east wing may be let for the amount included in both appropriation bills; said contract to provide, however, Approval of plans and contracts by Governor. If appropriation insufficient, to lapse. Proviso.

that no right of payment shall be thereby created in excess of the amount actually available for payment under the appropriation bills as the same become effective.

92.

COMMITTEE TO INVESTIGATE THE ADMINISTRATION OF PUBLIC AFFAIRS IN BERGEN COUNTY.

Printing report.

To the "Public Printers Company of New Jersey," for printing five hundred copies of the report of the committee, one thousand dollars; *provided* said sum is accepted in full of all claims due for this work, said sum to be paid upon the approval of the Governor.

Moneys used as specified.

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," 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

Section how construed.

hundred and eight, are appropriated for the maintenance of said State institutions and commissions making such payments, and nothing in this act contained shall apply to moneys received directly into the State treasury or through the Board of Fish and Game Commissioners as license fees, under any of the fish and game laws of the State, which moneys may be paid out as other moneys of the State; *provided, however,* that nothing in this section contained shall be construed to apply to payments in the State treasury by the State Reformatory and State Prison as receipts for the labor of inmates of those institutions. Proviso.

4. This act shall take effect immediately.

Approved April 3, 1912.

CHAPTER 376.

An Act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen.

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 ending on the thirty-first day of October, in the year one thousand nine hundred and thirteen, namely: Annual appropriations.

I.

EXECUTIVE DEPARTMENT.

For the governor, for salary, ten thousand dollars; Governor's office.

For the secretary to the Governor, for salary, four thousand dollars;

For compensation for assistants in the executive department, four thousand eight hundred dollars;

For blanks and stationery for the use of the executive department, one thousand dollars;

For postage, expressage and other incidental expenses for the executive department, two thousand dollars.

2.

OFFICE OF THE COMPTROLLER.

Comptroller.

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, eight thousand one hundred dollars;

For blanks and stationery for use in the office of the Comptroller, one thousand five hundred dollars.

For postage, expressage and other incidental expenses for the Comptroller's office, one thousand seven hundred dollars.

3.

OFFICE OF THE TREASURER.

Treasurer.

For the Treasurer, for salary, six thousand dollars;

For compensation for clerical services in the office of the Treasurer, twelve thousand four hundred dollars;

For blanks and stationery for use in the office of the Treasurer, one thousand dollars.

For postage, expressage and other incidental expenses for the office of the Treasurer, eight hundred and fifty dollars.

4.

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.

5.

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, twelve thousand one hundred 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, six 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, four thousand 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 preserving old records by the Emery process, one thousand dollars.

6.

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, eight thousand eight hundred dollars;

For expenses and equipment of inspectors, five thousand dollars;

For compensation for clerical services, six thousand dollars;

For postage, expressage and other incidental expenses, three thousand five hundred dollars;

For blanks and stationery, three thousand dollars;

For the purchase and packing of identification marks and dies for use in connection with the same, seventeen 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.

7.

ATTORNEY-GENERAL'S DEPARTMENT.

Attorney-general.

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, fifteen thousand five hundred and sixty dollars;

For blanks and stationery for use in the office of the Attorney-General, nine hundred dollars;

For postage, expressage and other incidental expenses for the Attorney-General's department, one thousand five 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;

For compensation and expenses of special counsel employed in the Chancery proceedings now pending between the State of New Jersey and the Morris Canal and Banking Company, the Lehigh Valley Railroad Company, and others, five thousand dollars.

8.

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, three thousand five hundred dollars;

For compensation for assistants in the Department of Banking and Insurance, sixteen thousand five hundred dollars;

For blanks and stationery for use in the Department of Banking and Insurance, four thousand dollars;

For postage, expressage and other incidental expenses for the Department of Banking and Insurance, six thousand five hundred dollars;

For compensation of building and loan association examiners, nineteen thousand eight hundred dollars;

For actual and necessary traveling and incidental personal expenses of building and loan association examiners, five thousand five hundred dollars;

For necessary appraisals of real estate and all other incidental expenses in connection with examinations of building and loan associations, five hundred dollars.

9.

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, nine thousand one hundred 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, one thousand one 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, twenty thousand six hundred dollars.

10.

BOARD OF EQUALIZATION OF TAXES.

Equalization of taxes.

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 five hundred dollars;

For additional clerical services, nine hundred 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;

For services of expert stenographer at hearings, one thousand dollars.

11.

COUNTY BOARDS OF TAXATION.

County tax boards.

For salaries of members of the county boards of taxation, ninety-six thousand six hundred dollars.

12.

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, twelve thousand dollars.

The following sums are appropriated, provided a bill pending entitled "An act to further amend an act

entitled 'An act giving the State Commissioner of Public Roads a fixed salary, instead of per diem pay, and limiting the expenses connected with the office,' approved March twenty-fifth, one thousand eight hundred and ninety-six, and all amendments thereto," becomes a law;

For additional allowance for salary of State Supervisor, four hundred dollars;

For salaries of two division engineers at one thousand eight hundred dollars each, three thousand six hundred dollars;

For salary of one division engineer, one thousand five hundred dollars.

13.

STATE LIBRARY.

For the Librarian, for salary, three thousand dollars; Library.

For compensation for assistants in the State Library, two thousand seven 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.

14.

PUBLIC 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, including the cost of conducting a summer school in library training or library institutes, 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 Library commission.

the purpose of carrying into effect the provisions of chapter one hundred and fifteen, laws of one thousand nine hundred and six, ten thousand dollars.

15.

STATE BOARD OF HEALTH.

State board of health.

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;

For the State Board of Health, pursuant to the provisions of chapter sixty-eight, laws of one thousand eight hundred and eighty-seven, and the amendments and supplements thereto, twenty-three thousand three hundred and twenty-five 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, eight thousand two hundred 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, seven hundred 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 amendments and supplements, 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, and amendments and supplements, twenty-three thousand seven hundred 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, twelve thousand 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-seven thousand dollars;

For the purpose of carrying into effect the provisions of chapter twelve of the laws of one thousand nine hundred and ten, ten thousand dollars;

For the purpose of carrying into effect the provisions of chapter one hundred and eighty-nine of the laws of one thousand nine hundred and eleven, three thousand five hundred dollars;

For the purpose of carrying into effect the provisions of chapter twenty-four of the laws of one thousand nine hundred and twelve, two thousand five hundred dollars.

16.

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.

17.

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, seventy-five thousand dollars;

For insurance upon State House and contents thereof, three thousand dollars;

For re-equipment of two vaults in present office of the Clerk in Chancery, on second floor of State Capitol, five thousand dollars;

For furnishings, furniture, fixtures and equipment of offices and vaults in the extension to the State Library, in the new west wing of State Capitol, four thousand five hundred dollars;

For the State House Commission, for the purpose of making such alterations and additions to the present Capitol as may be deemed necessary, pursuant to chapter thirty-eight, laws of one thousand nine hundred and twelve, fifty thousand dollars;

For filling in and grading on lands of the State up to the river wall now in course of erection, twenty-five thousand dollars.

18.

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.

19.

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 pub-

lication of the reports and maps of the geological survey, fourteen thousand five hundred dollars;

For salaries and expenses of archæological investigations in New Jersey and the acquisition of valuable archæological material, one thousand dollars.

20.

FOREST PARK RESERVATION COMMISSION.

Forest reservations.

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, ten thousand five hundred 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, and chapter seventy-four, laws of one thousand nine hundred and nine, fifteen thousand dollars.

21.

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, sixty-three thousand 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, five hundred dollars.

22.

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 services in the office of the Clerk of the Supreme Court, eighteen thousand two hundred and fifty 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 and fifty dollars.

23.

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, six thousand seven hundred 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, twenty-two thousand six hundred dollars;

For compensation and allowance of Advisory Masters, thirteen 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 six hundred and forty-four dollars;

For miscellaneous expenses in connection with such rooms, one hundred and fifty dollars;

For compensation of stenographer for the Chancellor, one thousand seven hundred and fifty dollars;

For allowance for stationery for the Court of Chancery, seven hundred and fifty dollars.

24.

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-nine thousand nine hundred sixty 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.

25.

COURT OF ERRORS AND APPEALS.

Court of Errors.

For compensation of judges of the Court of Errors and Appeals, twenty-one 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 seven hundred and fifty dollars;

For furnishing printed or typewritten copies of draft opinions under the direction of the presiding judge, one thousand dollars.

26.

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.

27.

COURT EXPENSES.

Transferred suits.

For compensation of judges of the Court of Com-

mon Pleas, pursuant to section forty-nine, chapter one hundred and forty-nine of the laws of one thousand nine hundred, two thousand dollars.

28.

LAW AND EQUITY REPORTS.

Legal reports.

For the publication of the Chancery reports, seven thousand dollars;

For the publication of the law reports, five 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;

29.

STENOGRAPHIC REPORTERS.

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, thirteen thousand five hundred dollars.

30.

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 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 two hundred dollars;

For transportation of disabled soldiers of the late rebellion and the Spanish-American war, thirty dollars;

For maintaining, heating and lighting regimental armories at Jersey City, Camden, Newark, Paterson and Trenton, at four thousand five hundred dollars each, twenty-two thousand five hundred dollars;

For maintaining, heating and lighting battery, troop and battalion armories at Newark, East Orange, Camden and Elizabeth, four thousand five hundred dollars each, eighteen thousand dollars;

For maintaining, heating and lighting company armories at Somerville and Hackensack, one thousand eight hundred dollars each, three thousand six hundred dollars;

For insuring regimental armories, buildings at the State camp grounds at Sea Girt, the State arsenal and all public military stores, six thousand seven hundred dollars;

For horse allowance to officers required to be mounted for duty at annual encampment, three thousand two 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 five hundred dollars;

For horse allowance to mounted organizations providing horses for State service, at fifty dollars per horse per annum, three thousand nine hundred dollars;

For construction of armory for battery A, field artillery, East Orange, pursuant to chapter two hundred and twenty-four, laws of one thousand nine hundred and nine, twenty-five thousand dollars;

For construction of armory for the second battalion; second regiment, Elizabeth, pursuant to chapter one hundred and seventy, laws of one thousand nine hundred and ten, twenty-five thousand dollars;

For construction of armory for battery B, field artillery, Camden, pursuant to chapter twenty, laws of one thousand nine hundred and ten, twenty-five thousand dollars;

For traveling expenses of United States army officer detailed to the State by the War Department as Instructor-Inspector of the National Guard, six hundred dollars;

For pay of clerk attached to division headquarters, six hundred dollars;

For construction of armory for first battalion, fifth regiment, at Orange, pursuant to chapter forty-five, laws of one thousand nine hundred and eleven, twenty-five thousand dollars;

For construction of armory for second troop cavalry, at Red Bank, pursuant to chapter one hundred and sixty-five, laws of one thousand nine hundred and six, twenty-five thousand dollars;

For construction of armory at Bridgeton, pursuant to chapter ninety-three, laws of one thousand nine hundred and ten, twenty-five thousand dollars;

For extraordinary repairs, alterations and additions required for the preservation and equipment of regimental armories, as follows, first regiment armory, fifteen thousand dollars;

For wiring armory of first troop cavalry at Newark, one thousand and ninety-five dollars;

For purchase of armory at Hackensack for the use of Company G, fifth infantry, the title to which is now held by that organization, eleven thousand dollars.

31.

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 and practice cruises, four thousand eight 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 and practice cruises, four thousand eight hundred dollars.

32.

ADJUTANT-GENERAL'S DEPARTMENT.

Adjutant-General's office.

For the Adjutant-General, for salary, two thousand five hundred dollars;

For compensation for clerical service in the Adjutant-General's office, seven thousand four hundred and twenty 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, one thousand dollars;

For annual dues to Interstate National Guard Association for the year one thousand nine hundred and twelve, 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.

33.

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, two thousand four hundred dollars.

For compensation of stenographer in office of the Quartermaster-General, six hundred 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 eight hundred thirty-four dollars and twenty-five cents;

For blanks and stationery for use in 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.

34.

COLLATERAL INHERITANCE TAX.

Inheritance tax.

For surrogate's fees, appraisers' compensation and expenses, legal and other disbursements, and for the purpose of carrying out the provisions of the collateral inheritance laws, thirty-five thousand dollars.

There is hereby appropriated the unexpended balance remaining in the State Treasury at the close of the fiscal year ending October thirty-first, one thousand nine hundred and twelve, of the amount appropriated in paragraph two, item number fifty-four, in the annual appropriation act for the fiscal year ending October thirty-first, one thousand nine hundred and twelve, for the repayment of collateral inheritance taxes paid, as assessed under the collateral inheritance tax act and to the refund of which the estates having made payment may be entitled under the decision of the Court of Errors and Appeals of this State, rendered July eighth, one thousand nine hundred and ten, In re Dixon vs. Russell (Collard Estate), provided the application for such repayment shall be made within two (2) years from the date of payment of such tax. Payment of such claims shall be made only when proven in form, manner and substance to the satisfaction of the State Comptroller and approved by the Attorney-General of this State.

35.

DEPARTMENT OF LABOR.

Labor bureau.

For the commissioner, for salary, six thousand dollars;

For the assistant commissioner, for salary, three thousand dollars;

For nineteen inspectors, for salaries, thirty-one thousand five hundred dollars;

For department clerks, for services, five thousand dollars;

For printing, postage, expressage and other incidental expenses, five thousand dollars;

For expenses of commissioner, assistant commissioner and inspectors, thirteen thousand dollars;

For salaries of expert assistants, seven thousand dollars.

36.

DEPARTMENT OF CHARITIES AND CORRECTIONS.

Bureau of charities.

For salary of commissioner, four thousand dollars;

For salary of assistant (architect), three thousand six hundred dollars;

For salary of draughtsmen, four thousand dollars;

For allowance for clerical service, two thousand eight hundred and twenty dollars;

For traveling expenses of commissioner and assistants, seven hundred and fifty dollars;

For blanks, stationery, postage, et cetera, one thousand two hundred and fifty dollars;

For research work, two thousand dollars.

37.

STATE BOARD OF TENEMENT HOUSE SUPERVISION.

Tenement houses.

For rent of offices, two thousand five hundred dollars;

For printing and stationery, two thousand dollars;

For clerical service and stenographer, four thousand two hundred dollars;

For salary of architect and plan examiner, one thousand eight hundred dollars;

For twenty-seven inspectors, one thousand two hundred dollars each, thirty-two thousand four hundred dollars;

For assistant plan examiner, one thousand three hundred and fifty dollars;

For salary of chief clerk, one thousand three hundred and fifty dollars;

For salary of law clerk, one thousand three hundred and fifty dollars;

For salary of record clerk, one thousand three hundred and fifty dollars;

For salary of assistant record clerk, one thousand three hundred and fifty dollars;

For additional clerk, one thousand three hundred and fifty dollars;

For secretary and executive officer, three thousand dollars;

For incidentals, postage and expressage, one thousand five hundred dollars;

For inspectors' expenses, three thousand five hundred dollars;

For traveling expenses of executive officer and plan examiners, four hundred dollars;

For expenses of members of the Board of Tenement House Supervision, five hundred dollars;

For office furnishings and supplies, three hundred dollars.

38.

CIVIL SERVICE COMMISSION.

Civil service.

For salaries and expenses of the Civil Service Commission, forty thousand dollars;

For salaries and expenses in carrying out the provisions of chapter one hundred and eighty-three, laws of one thousand nine hundred and eleven, eight thousand dollars.

39.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Salaries, etc.

For salaries and expenses of the Board of Public Utility Commissioners, seventy-five thousand dollars.

40.

DEPARTMENT OF PUBLIC REPORTS.

Salary, etc.

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, fifty dollars;

For postage, expressage and other incidental expenses for the department, twenty-five dollars.

41.

STATE WATER-SUPPLY COMMISSION.

Salaries and expenses.

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, one thousand dollars;

For engineers, inspectors, field work, et cetera, two thousand five hundred dollars.

42.

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, twenty-five thousand dollars;

For salary of the Commissioner of Inland Waterways, pursuant to chapter fifteen, laws of one thousand nine hundred and eight, two thousand dollars.

43.

DEPARTMENT OF ACCOUNTS.

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.

44.

EMPLOYERS' LIABILITY COMMISSION.

Expenses.

For expenses of the Employers' Liability Commission, pursuant to chapter two hundred and forty-one, laws of one thousand nine hundred and eleven, five thousand dollars.

45.

DEPARTMENT OF WEIGHTS AND MEASURES.

Salaries and expenses.

For salaries and expenses of the department of weights and measures, pursuant to chapter two hundred and one, laws of one thousand nine hundred and eleven, ten thousand dollars.

46.

STATE BOARD OF EDUCATION.

Expenses.

For necessary expenses of the State Board of Education, three thousand dollars;

For expenses of bureau of information for teachers and school officers, five hundred dollars.

47.

COMMISSIONER OF EDUCATION.

School system.

For salary of commissioner, ten thousand dollars;

For salaries of four assistants, eighteen thousand dollars;

For clerical services, sixteen thousand dollars;

For salary of inspector of buildings, two thousand dollars;

For salary of inspector of accounts, two thousand dollars;

For blanks and stationery, six thousand dollars;

For incidental expenses, eight thousand dollars;

For two thousand five hundred copies of the manual of the Legislature of New Jersey, two thousand five hundred dollars; *provided,* manuals are furnished for school use only, all public schools to be included in the distribution.

Proviso.

The moneys in this item appropriated shall be deducted in the same manner as the moneys heretofore appropriated to the Superintendent of Public Instruction are required to be deducted pursuant to chapter sixty-five of the laws of one thousand nine hundred and nine.

48.

STATE NORMAL SCHOOL AT TRENTON.

Trenton Normal School.

For the support of the State Normal School at Trenton, sixty-eight 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.

49.

STATE NORMAL SCHOOL AT MONTCLAIR.

Montclair Normal School.

For support of the State Normal School at Montclair, fifty-two thousand one hundred 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.

50.

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, sixty thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

51.

MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

Bordentown school.

For the erection of a new dormitory, twenty thousand dollars;

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.

52.

COUNTY SUPERINTENDENTS.

Salaries.

For county superintendents of schools, for salaries, forty-two thousand dollars; payment to be made pur-

suant to chapter sixty-five, laws of one thousand nine hundred and nine.

53.

STATE BOARD OF EXAMINERS.

Examiners. For expenses incurred by the State Board of Examiners, ten thousand five hundred dollars.

54.

INDUSTRIAL EDUCATION.

Industrial schools. 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 fifty thousand dollars.

55.

FREE SCHOOL LIBRARIES.

School libraries. For the formation of libraries in the free public schools of the State, seven thousand dollars.

56.

SCHOOL FUND EXPENSES.

School fund. 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, four 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.

EVENING SCHOOL 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, five thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

59.

TEACHERS' RETIREMENT FUND.

Retirement fund.

To the board of trustees, 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, four thousand nine hundred dollars;

To the State Treasurer, for expenses incurred in connection with the fund, pursuant to said chapter, as follows:

For clerical services, two thousand six hundred dollars;

For blanks, stationery, postage, expressage, et cetera, five hundred dollars.

60.

TEACHERS' INSTITUTES.

Institutes.

For expenses of teachers' institutes', four thousand dollars.

61.

TEACHERS' LIBRARIES.

Teachers' libraries.

For the establishment and maintenance of libraries for use of teachers, two hundred dollars.

62.

SUMMER COURSES IN AGRICULTURE, ETC.

Summer school.

For the purpose of carrying out the provisions of chapter fifty-five, laws of one thousand nine hundred and eight, two thousand dollars.

63.

BUREAU OF SHELL FISHERIES.

Shell fisheries.

For the chief of the bureau, for salary, one thousand eight hundred dollars;

For salary of stenographer, six hundred dollars;

For blanks, stationery and other incidental expenses, six hundred dollars.

64.

STATE OYSTER COMMISSION.

State 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, eight hundred dollars.

65.

STATE OYSTER COMMISSION FOR THE DISTRICT OF ATLANTIC COUNTY.

Atlantic county oyster district.

For the commissioners, for salaries, nine hundred dollars;

For the superintendent, for salary, one thousand dollars;

For patrol service, two thousand two hundred dollars;

For incidental expenses, three hundred dollars;

For surveys, one hundred and fifty dollars.

66.

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 dollar;

For patrol service, one thousand dollars;

For incidental expenses, four hundred dollars; *provided,* all bills are approved by the Governor; Proviso.

For office rent, fifty dollars.

67.

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.

68.

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 fifty-four thousand two hundred and thirty dollars;

For salaries of officers, twenty thousand three hundred dollars;

For appraisement of personal property, two hundred dollars;

For insurance, premiums, four thousand dollars;

For electric fixtures for main building, twenty thousand dollars;

For addition to laundry building and equipment, ten thousand dollars;

For installing continuous baths, four thousand dollars;

For extension to female nurses' cottage, ten thousand dollars;

For extension to dairy barn, seven thousand five hundred dollars;

For alterations required on fourth floor of main building for light and ventilation, ten thousand dollars;

For workshops for patients, eight thousand dollars;

For furnishings for new nurses' home for men, seven thousand dollars;

For painting interior of buildings, seven thousand five hundred dollars.

69.

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 seventy-four thousand two hundred dollars;

For salaries of officers, seventeen thousand seven hundred dollars;

For appraisement of personal property, two hundred dollars;

For dairy barn and equipment, consisting of cow stables, milk house, feed room silos, stanchions, et cetera, fifteen thousand dollars;

For laboratory and equipment, ten thousand dollars;

For fire insurance premiums, two thousand dollars;

For research work, two thousand five hundred dollars;

For additions to main buildings, forty thousand dollars;

For laboratory supplies and apparatus, one thousand dollars;

For the erection of a house of detention for convict or criminal insane, pursuant to chapter two hundred and sixty-one, laws of one thousand nine hundred and eleven, one hundred thousand dollars.

70.

COUNTY LUNATIC ASYLUMS.

County asylums.

For the support of county patients in the Essex county lunatic asylum, one hundred and forty-two thousand dollars;

In the Hudson county lunatic asylum, seventy-five thousand dollars;

In the Camden county lunatic asylum, twenty-four thousand dollars;

In the Burlington county lunatic asylum, sixteen thousand dollars;

In the Passaic county lunatic asylum, four thousand two hundred 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, ten thousand dollars.

71.

STATE PRISON.

State prison.

For maintenance of the State Prison and the convicts therein, 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, twelve 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, six thousand 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, six 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.

72.

NEW JERSEY REFORMATORY.

Rahway reformatory.

For traveling and other official expenses of commissioners, five hundred dollars;

For the superintendent, for salary, four thousand dollars;

For the subordinate officers and employes, for salaries, sixty-five thousand dollars;

For maintenance, sixty thousand dollars;

For furniture, appliances and repairs (including industrial departments), eighteen thousand dollars;

For the superintendent, for payments to discharged inmates and recapturing escapes, three thousand five hundred dollars;

For traveling expenses of parole officers, one thousand five hundred dollars;

For fuel and water, fifteen thousand dollars;

For farm live stock, implements, et cetera, one thousand dollars;

For rent of house for superintendent, six hundred and sixty dollars;

For traveling expenses for superintendent when on official business, two hundred dollars;

For fire insurance premiums, seven thousand dollars;

For emergencies in building and construction, et cetera, already authorized, five hundred dollars;

For purchase of additional land and buildings thereon pursuant to chapter ninety-three, laws of one thousand nine hundred and five, thirty thousand dollars.

73.

STATE HOME FOR BOYS.

Jamesburg school.

For the trustees of the New Jersey State Home for Boys, one hundred and four thousand dollars:

For the trustees of said home, for expenses incurred by them in the discharge of their duties, two hundred dollars;

For repairs to the buildings and grounds, five thousand dollars;

For erecting one double cottage and to equip and furnish same, forty thousand dollars.

74.

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-five thousand dollars;

For the trustees of said home, for expenses incurred in the discharge of their duties, five hundred dollars;

For the salary of a probation officer, nine hundred dollars;

For traveling expenses of the probation officer, six hundred dollars;

For fire insurance premiums, three hundred fifty-three dollars and ten cents;

For a hospital fund, one thousand dollars;

For research work, one thousand dollars;

For manual training teacher, three hundred dollars;

For additional storeroom and two additional bedrooms, two thousand five hundred dollars;

For erecting and equipping an infirmary, fifteen thousand dollars;

For barn and silo, one thousand seven hundred dollars;

For purchase of horse and carriage, five hundred dollars.

75.

VILLAGE FOR EPILEPTICS.

Epileptic village.

For expenses of managers, six hundred dollars;

For salaries of officers, nine thousand four hundred and fifty dollars;

For salaries of two additional assistant physicians, two thousand dollars;

For maintenance, including fuel and light, one hundred thousand dollars;

For repairs and improvements, five thousand dollars;

For trees and shrubbery, five hundred dollars;

For roads, two thousand five hundred dollars;

For the erection and equipment of an assembly building, twenty-five thousand dollars;

For the erection of a custodial building, forty-five thousand dollars;

For the erection of cottages for employes, eight thousand dollars;

For furniture, six thousand dollars;

For purchase of additional farm land, pursuant to chapter ninety-three, laws of one thousand nine hundred and five, eighteen thousand dollars.

76.

SANATORIUM FOR TUBERCULOUS DISEASES.

Sanatorium.

For maintenance, ninety-one thousand dollars;

For the erection of a power plant, sixty-five thousand dollars;

For the erection of a children's building, twelve thousand five hundred dollars;

For the erection of a building for superintendent's residence and administration purposes, twelve thousand dollars.

77.

BLIND AND FEEBLE-MINDED.

Blind.

For clothing, maintenance, support and instruction of the blind persons, inhabitants of this State, twenty thousand dollars;

Feeble-minded.

For clothing, maintenance, support and instruction of the feeble-minded persons, inhabitants of this State, ninety thousand dollars;

For maintenance, support and instruction of feeble-minded women, fifty-six thousand dollars.

78

HOME FOR FEEBLE-MINDED WOMEN, VINELAND.

Vineland home for women.

For purchase of additional farming land and place for sewage disposal field, pursuant to chapter ninety-three, laws of one thousand nine hundred and five, and for installation of septic tank, piping, et cetera, eight thousand five hundred dollars;

For research work, one thousand dollars;

For the erection of a new building for the care of feeble-minded delinquents, sixty thousand dollars.

79.

STATE REFORMATORY FOR WOMEN.

Reformatory for women.

For fencing, three hundred dollars;

For telephone poles, two hundred dollars;

For fertilizers, nine hundred dollars;

For seed for crops, two hundred and fifty dollars;

For live stock and poultry, two thousand dollars;

For wagons and implements, one thousand dollars;

For maintenance of live stock, one thousand nine hundred dollars;

For wages and board of three men, one thousand eight hundred dollars;

For repairs and horse-shoeing, two hundred dollars;

For extra help and miscellaneous expenses, one thousand dollars;

For maintenance for twenty-five girls, at three hundred dollars each, seven thousand five hundred dollars.

80.

STATE BOARD OF CHILDREN'S GUARDIANS.

Expenses.

To the State Board of Children's Guardians, for expenses, fifteen thousand dollars.

81.

INDIGENT PATIENTS WITH INCURABLE DISEASES.

Incurable indigents.

For the maintenance, treatment and support of indigent patients, inhabitants of this State, in institutions in this State, suffering from incurable diseases, pursuant to chapter one hundred and thirty-eight, laws of one thousand nine hundred and eleven, seven thousand five hundred dollars.

82.

COMMISSION FOR AMELIORATING THE CONDITION OF THE BLIND.

Aiding blind.

For the purpose of carrying out the provisions of chapter one hundred and thirty-six, laws of one thousand nine hundred and nine, seven thousand five hundred dollars.

83.

BOARD OF EXAMINERS OF FEEBLE-MINDED, EPILEPTICS, CRIMINALS AND OTHER DEFECTIVES.

Sterilization.

For expenses incurred in carrying into effect the provisions of chapter one hundred and ninety, laws of one thousand nine hundred and eleven, five hundred dollars.

84.

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, fifteen thousand dollars;

For maintenance and all other expenses, sixty-seven thousand three hundred and seventy-five dollars;

For fire insurance premiums, three hundred and ninety-seven dollars and fifty cents;

For traveling expenses of the Board of Managers, five hundred dollars;

For the erection and equipment of a hospital, pursuant to chapter three, laws of one thousand nine hundred and twelve, thirty thousand dollars.

85.

Kearny home.

HOME FOR DISABLED SOLDIERS AT KEARNY.

For the support of the New Jersey Home for Disabled Soldiers at Kearny, and for the chaplain thereof, fifty-five thousand dollars.

86.

SOLDIERS' STATE PAY.

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.

87.

STATE BOARD OF AGRICULTURE.

Board of agriculture.

For the State Board of Agriculture, twelve 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;

For the purpose of carrying out the provisions of chapter fifty-four, laws of one thousand nine hundred and eleven, four thousand dollars;

For the purpose of carrying out the provisions of chapter sixty, laws of one thousand nine hundred and eleven, two thousand dollars.

88.

TUBERCULOSIS COMMISSION.

For expenses and payments by the State Tuberculosis Commission, forty-five thousand dollars. Tuberculosis.

89.

STATE AGRICULTURAL COLLEGE.

To the Treasurer of Rutgers College, to pay the State Agricultural College for the benefit of agriculture and the mechanic arts, pursuant to chapter ninety of the laws of one thousand nine hundred and five, and amendments thereto, thirty thousand dollars, payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine; State college

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, twenty thousand 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 the erection of an agricultural building, one hundred thousand dollars.

90

AGRICULTURAL EXPERIMENT STATION.

Experiment station.

For salaries and expenses of the Agricultural Experiment Station, twenty-five thousand dollars;

For printing bulletins of the Agricultural Experiment Station, three 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, nine hundred dollars;

For the maintenance and operation of the department of poultry husbandry, pursuant to chapter fifty-two, laws of one thousand nine hundred and eleven, three thousand dollars;

For the purpose of carrying into effect the provisions of a bill pending entitled "An act concerning seeds," two thousand dollars; *provided,* said bill becomes a law.

Proviso.

For the purpose of maintaining and carrying on experimental work in floriculture, pursuant to chapter one hundred and thirty, laws of one thousand nine hundred and eleven, three thousand dollars;

For expenses incurred in carrying out the provisions of chapter eighty-nine, laws of one thousand nine hundred and twelve, one thousand dollars.

91.

LIVE STOCK COMMISSION.

Live stock.

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, ten thousand seven hundred dollars.

92.

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 thirteen, 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.

93.

BOARD OF VISITORS TO THE AGRICULTURAL COLLEGE OF NEW JERSEY.

Expenses.

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.

94.

STATE HORTICULTURAL SOCIETY.

Horticulture.

To the treasurer of the New Jersey State Horticultural Society, pursuant to chapter one hundred and forty-one, laws of one thousand nine hundred and eleven, two thousand dollars.

95.

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 thirteen, one hundred thousand dollars.

96.

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, the sum of ten thousand dollars.

97.

REFUNDING TAXES ON MISCELLANEOUS CORPORATIONS.

Refund taxes.

For taxes improperly levied upon or paid by corporations, to be refunded, pursuant to law, five hundred dollars.

98.

ELECTORAL COLLEGE AND STATE BOARD OF CANVASSERS.

Per diem and expenses.

For per diem allowance of ten dollars to each member of the Electoral College and Board of State Canvassers, and incidental expenses connected therewith, five hundred dollars.

99.

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.

100.

ADVERTISING.

Advertising. For advertising proclamations issued by the Governor, notices of the Attorney-General in relation to delinquent miscellaneous corporations, and notices of the Comptroller in regard to public printing, et cetera, three thousand five hundred dollars.

101.

PRINTING.

Printing. For printing and binding public documents, fifty thousand dollars;

For compensation of an expert printer for services in preparation of specification for bids, supervision of work, examination of bills, and such other duties as may by law be imposed upon him, nine hundred dollars;

For preparing index of session laws, one hundred dollars;

For printing and circulation of the laws, seven thousand dollars.

102.

PRESERVATION OF RECORDS.

Archives. For the purpose of publishing and completing the

early records of this State, known as "New Jersey Archives," three thousand dollars.

103.

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.

104.

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.

105.

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, thirteen thousand four hundred dollars.

106.

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, and chapter one hundred and eighty-five, laws of one thousand nine hundred and eleven, ten thousand three hundred and thirty-three dollars and thirty-three cents.

107.

ANNUITY FOR WIDOWS OF GOVERNORS.

Pension. For the purpose of carrying into effect the provisions of a bill pending, entitled "An act providing for the payment of a pension to the widow of any Governor of this State," two thousand four hundred dollars; *provided,* said bill becomes a law. Proviso.

108.

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.

109.

COMMISSIONERS OF THE PALISADES INTERSTATE PARK.

Palisades Park. For expenses incurred by the Commissioners of the Palisades Interstate Park, two thousand five hundred dollars; said expenses to be approved by the Governor.

For the purpose of carrying into effect the provisions of chapter one hundred and twenty-four, laws of one thousand nine hundred and ten, one hundred thousand dollars.

110.

REVALUATION OF RAILROAD AND CANAL PROPERTY.

Revaluation. For expenses of revaluation of all railroad and canal property in the State, three thousand dollars; provided, Proviso. a bill pending entitled "A further supplement to an act entitled 'An act concerning an inventory and appraisal of railroad and canal property, including franchises in the State of New Jersey,' approved April twelfth, one thousand nine hundred and ten," becomes a law.

111.

RIPARIAN COMMISSION.

Riparian rights.

For salaries of Riparian Commissioners, six thousand dollars;

For salaries and expenses incurred in the prosecution of the work of the commissioners, seven thousand dollars.

112.

INSPECTION OF POWER VESSELS.

Inland navigation.

For salary of chief inspector, six hundred dollars;

For expenses of chief inspector, three hundred seventy-five dollars;

For salary and expenses of assistant inspector, seven hundred and fifty dollars;

For expenses of maintaining office at Lake Hopatcong for registration of boats, et cetera, pursuant to chapter seven, laws of one thousand nine hundred and ten, five hundred dollars.

113.

HEALTH OFFICERS OF THE PORT OF PERTH AMBOY.

Salaries.

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.

114.

OBSTRUCTIONS TO NAVIGATION.

Removal.

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.

115.

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.

116.

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.

117.

STATE CHARITIES AID ASSOCIATION.

Expenses.

For expenses of the association, pursuant to chapter one hundred and twenty, laws of one thousand eight hundred and ninety-two, six hundred dollars.

118.

VALLEY FORGE REVOLUTIONARY ENCAMPMENT COMMISSION.

Monument.

For the erection of a granite shaft and markers, pursuant to chapter eleven, laws of one thousand nine hundred and twelve, five thousand dollars.

119.

SHARK RIVER INLET, MONMOUTH COUNTY.

Shark river inlet.

For the purpose of carrying into effect the provisions of chapter one hundred and thirty, laws of one thousand nine hundred and twelve, thirty-five thousand dollars.

120.

COMMISSION TO COMMEMORATE FIFTIETH ANNIVERSARY OF THE EMANCIPATION PROCLAMATION.

Celebration.

For the purpose of carrying into effect the provisions of a bill pending, entitled "An act providing for an exhibition and celebrating in Philadelphia to commemorate the fiftieth anniversary of the Emancipation Proclamation; creating a commission to conduct same, and making an appropriation therefor," ten thousand dollars; *provided,* said bill becomes a law.

Proviso.

121.

WASHINGTON CROSSING PARK COMMISSION.

Washington Crossing park.

For the purpose of carrying into effect the provisions of chapter thirty-two, laws of one thousand nine hundred and twelve, twenty-five thousand dollars.

122.

CELEBRATION OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG.

Gettysburg anniversary.

For the purpose of carrying into effect the provisions of chapter fifteen, laws of one thousand nine hundred and twelve, twenty thousand dollars.

123.

MONUMENT TO MAJOR GENERAL PHILIP KEARNY.

Monument.

For the purpose of carrying into effect the provisions of Joint Resolution number one, approved February twenty-sixth, one thousand nine hundred and twelve, ten thousand dollars.

124.

NEW JERSEY EXPOSITION COMMISSION.

For the purpose of carrying into effect the provisions of a bill pending, entitled "An act to authorize the New Jersey State Board of Agriculture to procure, set up and maintain an exhibit of the products of the farming lands of New Jersey at the second land and irrigation exposition in New York City, November fifteenth to December second, one thousand nine hundred and twelve, five thousand dollars; *provided*, said bill becomes a law. Agricultural exhibition. Proviso.

125.

BOARD OF FISH AND GAME COMMISSIONERS. GAME FARM AND FISH HATCHERY.

For the completion of the game farm on the site purchased in Ocean county and the fish hatchery on the site purchased in Warren county, including dwellings, fencing, machinery, implements, vehicles, horses, equipment, salaries and wages and other incidental expenses in connection therewith, thirty thousand dollars. Game farm. Hatchery.

126.

NEW JERSEY INTERSTATE BRIDGE AND TUNNEL COMMISSION.

For expenses of the commission appointed pursuant to Joint Resolution number four, approved March twenty-first, one thousand nine hundred and twelve, ten thousand dollars. Interstate communication.

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 thirteen: School aid.

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 made therefor shall not be applied toward the construction of such building or buildings, or prosecution of such work, but shall lapse and no payment shall be made therefrom; *provided, however,* that the appropriation hereby made for the purpose of building the new east wing to the State Capitol, the total of which appropriation is made up by sums included in the supplemental and annual appropriation bills may be used as though the same were included in one appropriation bill, and a contract for the said new east wing may be let for the amount included in both appropriation bills; said contract to provide, however, that no right of payment shall be thereby created in excess of the amount actually available for payment under the appropriation bills as the same become effective.

If appropriation insufficient, to lapse.

Proviso.

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, and nothing in this act contained shall apply to moneys received directly into the State treasury or through the Board of Fish and Game Commissioners as license fees, under any of the fish and game laws of this State, which moneys may be paid out as other moneys of the State; *provided, however,* that nothing in this section contained shall be construed to apply to payments in the State treasury by the State Reformatory and State Prison as receipts for the labor of inmates of those institutions. Proviso.

5. This act shall take effect on the first day of November, one thousand nine hundred and twelve. Effective.

Approved April 3, 1912.

CHAPTER 377.

An Act to amend an act entitled "An act regulating the granting by municipalities of consent to the use of streets, avenues, parks, parkways and other public places," 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:*

Section 2 amended.

1. Section two (2) of an act entitled "An act regulating the granting by municipalities of consent to the use of streets, avenues, parks, parkways and other public places," approved March twenty-seventh, one thousand nine hundred and six, be and the same is hereby amended so as to read as follows:

Petition seeking consent filed.

2. No consent for the use of any street, avenue, park, parkway or other highway, either above, below or on the surface thereof, shall be granted by any municipality until a petition shall have been filed with the clerk of such municipality by the person or corporation desiring the same; which petition shall specify the period for which such consent is asked, and the uses in detail for which such street, avenue, park, parkway, highway or other public place is desired, and whether above, below or on surface thereof, and in the case of street railways or traction companies, the character of the road proposed to be constructed, operated and maintained, the motive power to be used thereon, and the street, avenue, park, parkway, highway or other public place or places through which the same shall extend. Upon the filing of such petition the same shall not be considered by the board or body of such municipality authorized by law to make the grant therein petitioned for until public notice shall be given, by publication in one or more newspapers published and circulated in said municipality, or if there be no newspaper published in said

Specifications.

Public notice given.

municipality, then in one or more newspapers published in the county in which said municipality is located, to be designated by said board or body, once a week for at least two weeks, and by posting such notice in five of the most public places in said municipality for at least fourteen days before the meeting of the said board or body at which the said application shall be considered. Such notice shall specify the name of the person or corporation presenting such petition, the date and hour when the same will be considered by said board or body, the date of filing the same, the character of the use to which such street, avenue, park, parkway, highway or other public place is to be put; the street, avenue, park, parkway, highway or other public places in such municipality through which the same shall extend and the time for which such permission or consent is sought, and, in case of street railways or traction companies, the character of the road proposed to be constructed, operated or maintained and the motive power to be used thereon. Upon the date fixed by such notice, or upon such subsequent date as the hearing of said petition may be adjourned, the board or body of said municipality may, by ordinance, and not otherwise, grant, for a period not exceeding fifty years, the right to use the street, avenue, park, parkway, highway or other public places petitioned for.

Character of notice.

Grant made by ordinance.

Fifty years' limit.

2. Section five (5) and section six (6) of said acts be and the same are hereby repealed.

Sections repealed.

3. Section seven (7) of said act be and the same is hereby amended so as to read as follows:

Section 7 amended.

7. Every consent to the use of any street, avenue, park, parkway, highway or other public place, granted under the provisions of this act, shall be for a term of years, and not in perpetuity, and shall not in any case exceed fifty years.

Fifty years' limit.

4. This act shall take effect immediately.

Passed April 11, 1912.

CHAPTER 378.

An Act to amend an act entitled "A supplement to an act entitled 'An act concerning cities of the first class in this State, constituting municipal boards of excise commissioners 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 boards, and providing for the maintenance of the same,' " approved April eighth, one thousand nine hundred and three, approved March twenty-ninth, 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 an act to which this act is an amendment is hereby amended to read as follows:

License inspectors.

1. In order to effectually prevent the violation of the provisions of the act to which this is a supplement, and to prevent the unlawful sale, without license, of spirituous, vinous, malt or brewed liquors in cities of the first class in this State, the excise board of such city are respectively fully authorized and empowered to appoint not more than two license inspectors in any such city, and the person or persons so appointed license inspector or license inspectors shall possess the sole power and authority and perform the duties pertaining to the inspector of licenses granted by such excise board, and such board shall be solely authorized and empowered to

Duties.

prescribe the duties of such license inspector or inspectors, and the board or body having charge of the finances of any such municipality shall fix and determine

Compensation.

the annual compensation to be paid such license inspector or inspectors, which compensation or salary shall be paid monthly by said city to the person or persons

appointed as aforesaid; and such excise board is also fully authorized and empowered to employ, in addition to that provided by law, such clerical help in performing the duties of the said board as from time to time they may deem necessary; and the said board or other body having charge of the finances of any such city shall fix and determine the annual salary or compensation of such clerical help, which shall be paid monthly by any such city to the person or persons so appointed. Clerical assistance.

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

Passed April 12, 1912.

CHAPTER 379.

An Act to amend an act entitled, "An act to provide for the better security of life and limb in cases of fire in hotels and other buildings," passed March twenty-fourth, one thousand eight hundred and ninety-nine.

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

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

1. Independent of, or in addition to, the external iron fire-escape or escapes that may be required by any law of this State upon any hotel or large boarding-house for the accommodation of the public, or upon any lodging-house whenever any of said buildings can accommodate thirty or more individuals and are three or more stories in height, it shall be the duty of the owners of all said buildings to provide and cause to be securely affixed to a bolt through the wall near the window head, inside of at least one window in each and every room on the third floor, and in each and every room on each Rope escapes. Where placed.

higher floor of every such building, a chain at least ten feet in length, with a rope at least one inch in diameter securely attached thereto of sufficient length to extend to the ground or other place of landing, or any other appliance, as a substitute for such rope and chain escape, that may be approved by any chief building inspector of any city of this State, or other official or board of officials, whose duty it is to inspect fire-escapes, or by any board of aldermen or other official board of any town, borough or any township of this State, by whatever names such authorities may be known; the rope escape in each room shall be carefully coiled and kept in an unlocked box near the sill of the window to which the escape is attached; and in each room there shall be posted a printed notice descriptive of such rope escape; also a gong shall be placed in each corridor of each of said buildings capable of being heard throughout each of said buildings, to be sounded in case of alarm of fire.

Substitute appliance may be approved.

Rope kept ready.

Fire-gong.

2. This act shall take effect immediately.

Passed April 12, 1912.

CHAPTER 380.

An Act to authorize the board of chosen freeholders of any county in this State to acquire, improve and maintain roads lying within the corporate limits of any of the municipalities of said county, except cities; to authorize the straightening, widening, changing of location of and vacation of any such road so acquired, and to authorize the acquiring by gift, grant, purchase or condemnation of lands necessary therefor.

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 municipality, other than a city, in such county or lying in and extending through two or more municipalities, other than cities, in such county.

Resolution relative to adoption.

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 said board shall appear to be proper; such resolution shall designate the road or roads 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, the lines, location, width and length thereof. A copy of said resolution or resolutions, together with the map or maps of such road or roads attached, certified by the clerk of said board of freeholders shall within thirty days from the adoption of such resolution be filed in the office of the clerk of the county.

Maps, etc.

Copy of resolution filed with county clerk.

Road becomes county road.

3. Upon the adoption of a resolution as hereinbefore provided for and the filing of a certified copy thereof with map attached, in the office of the clerk of the county as provided by section two (2) hereof, the road described in such resolution and shown by such map shall become and be a county road, and 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 shall be imposed upon and vested in said board of chosen freeholders; *provided, however*, that nothing herein shall divest the municipal authorities of any municipality in which such road may be, or through which it may extend, of their authority to light such road, or of their power to construct, grade, curb, pave or repair the sidewalks and curbs along said road, nor shall this power of said governing bodies divest the board of chosen freeholders of their right to construct across or under the sidewalks of said road the necessary culverts or other structures necessary for the proper maintenance of such road; *and*

Proviso.

Proviso.

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 runs or extends shall consent thereto, and that where the consent of property owners is required under any laws of this State, the same shall also be obtained before such grant of any such easement, right-of-way or use.

Proposed changes indicated.

4. Upon the acquirement of any road as herein provided the board of chosen freeholders, may, by resolution, determine, to straighten, widen or change the location of such road or any part or portion thereof and to vacate any and all portions of said original road that will by reason of such straightening, widening or relocating be and becoming unnecessary for public use. To any such resolution shall be attached a map showing the original location of such road and the proposed straightening, widening, changing of location and the parts of said road proposed to be vacated. A certified copy of said resolution, upon its adoption, together with a copy of the said map shall be filed in the office of the clerk of the county.

Procuring title to lands.

The said board of chosen freeholders are hereby authorized and empowered, upon the adoption and filing of such resolution and map as hereinbefore provided, to secure and obtain the lands necessary for such widening, straightening or relocation, by gift, grant, purchase or condemnation, and the title to the said lands shall be taken in the name of such board.

Procedure under condemnation.

If it shall become necessary to take any lands by condemnation, the proceedings therefor shall be pursuant to the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use," approved March twentieth, nineteen hundred, and the supplements thereto and amendments thereof.

Improvement of acquired roads.

5. After acquiring any road hereunder, the board of chosen freeholders may, from time to time, improve the same, either in whole or in part, and for that purpose shall cause drawings, plans and specifications to be

made, and shall advertise in one or more newspapers in such county, and in such other manner as such board may direct, for two weeks successively, at least once in each week, the first advertisement being at least ten days prior to the receipt of bids, the time and place of the reception of sealed bids and the terms of said bidding by the said board or its committee named for that purpose, and the contract shall be awarded to the lowest responsible bidder who shall furnish security satisfactory to such board.

Proposals invited.

Contract awarded.

6. It shall be lawful for the board of chosen freeholders to appropriate and raise annually, by taxation, in the same manner as other county taxes are raised, such sum of money as they shall deem necessary to meet all costs and expenditures to be made under this act, provided that the sum raised and appropriated in any fiscal year shall not exceed one-fourth of one per centum of the ratables of such county as ascertained for the then current fiscal year.

Provision for funds.

Proviso.

7. If in the opinion of the board of chosen freeholders, to place the entire cost of the acquisition of lands and improvement of roads, under this act, in the tax levy for any one fiscal year would be too burdensome to the taxpayers of such county, it shall and may be lawful for such board to issue the bonds of the county to defray the expense thereof, either in whole or in part; *provided,* that the aggregate sum raised by taxation, or the issuing of bonds or both, in any fiscal year shall not exceed one-fourth of one per centum of the tax ratables of such county as ascertained for the then current fiscal year.

Bonds may be issued.

Proviso.

The said bonds shall be of the denomination of one thousand dollars each, shall be registered or coupon, as such board may determine, and shall bear interest at a rate not exceeding five (5) per centum per annum, payable semi-annually, and shall run for a period not exceeding thirty years, and shall be signed by the director and clerk of said board, and countersigned by the county collector, and shall be sold at public sale, on bids duly advertised for, to the highest bidder, for not less than par; and such county shall annually thereafter

Details of issue.

Rate.

Time.

place in the tax levy a sum sufficient to pay the interest on such bonds as it matures, and shall likewise create a sinking fund for the payment of said bonds at maturity, and place in the tax levy annually thereafter a sum sufficient, with the accumulations thereof to pay off and discharge said bonds at maturity.

Sinking fund.

8. This act shall take effect immediately.

Passed April 12, 1912.

CHAPTER 381.

A Supplement to an act entitled, "An act for the maintenance, treatment and support of indigent patients suffering from locomotor ataxia, chronic rheumatism, paralysis, and other similar incurable diseases, inhabitants of this State," approved April tenth anno domini nineteen hundred and eleven.

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

Copy of application filed with clerk of court.

1. Whenever any indigent patient, inhabitant of this State, not residing or domiciled in any institution in this State, shall apply for the benefits under the act to which this is a supplement, or when application shall be made by any person in behalf of such indigent patient it shall be the duty of the Commissioner of Charities and Corrections to transmit a duly certified copy of such application to the clerk of the Court of Common Pleas of the county in which such indigent patient resides, who shall thereupon file the same in his office.

Commission to determine condition of applicant.

2. Upon filing such application, the said clerk, with all convenient speed, shall present the same to the judge of the Court of Common Pleas of said county. Said judge shall thereupon issue a commission to three disinterested persons, residents and freeholders of the

county, one of whom shall be a reputable physician practicing in said county commanding them to inquire whether such indigent patient is in fact indigent and without means of support, and whether such indigent patient is in fact suffering from any one or more of the diseases mentioned in the act to which this is a supplement, so as to be unable to maintain himself, and, whether under all the circumstances of the case, it is just and proper that such patient should be given the benefits of the act to which this is a supplement. Such commission shall issue under the seal of the court and be returnable into the court within such time as the court may designate.

Nature of inquiry.

3. Said commissioners shall make inquiry as to the matters so to be committed to them by, among other ways, personally examining such indigent patient. They may also examine witnesses under oath (which oath any one of their number is hereby empowered to administer) for the purpose of ascertaining the truth of the matters committed to their inquiry. In making their return of said commission they shall set forth therein how and in what manner they executed the same and the names of the witnesses sworn and examined by them. They shall file their said report with the clerk of the Court of Common Pleas. Such reasonable allowance shall be made such commissioners for their aforesaid services as the said judge shall order; which allowance shall be paid by the State Treasurer on the warrant of said Commissioner of Charities and Corrections and the Comptroller out of such moneys as shall be appropriated for the purposes of the act to which this is a supplement.

Report.

Compensation of commissioners.

Report presented to court.

4. The said clerk, with all convenient speed, shall present such return of said commission to the judge of the Court of Common Pleas who, thereupon, or after a personal examination of said commissioners, or of said patient, or of any other person or persons whom he may see fit to examine, shall make an order adjudging that the said application should be granted or refused, as the case may be, and, if granted, that there should be paid to such indigent patient, such sum of money,

Order.

Payment made to patient.

not exceeding the sum of three hundred and sixty-five dollars per annum, as he in his judgment may determine.

Order and report transmitted to commissioner of charities.

5. Upon the signing of the order aforesaid, the said clerk, shall forthwith transmit a certified copy thereof and of said commission and report to the Commissioner of Charities and Corrections, who, thereupon, in his discretion as to the making of any payment at all, as well as to the time and manner of such payment, or the installments thereof, shall pay, for the maintenance, treatment and support of such indigent patient, such sum, not exceeding the sum mentioned in said order, as he shall determine should be paid. Such payment shall be made out of any moneys in the treasury, which shall be appropriated for the purpose, under the direction of the said commissioner. It shall cease to be made at his discretion.

6. This act shall take effect immediately.

Passed April 12, 1912.

CHAPTER 382.

An Act to amend 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:*

Section 42 amended.

1. Section forty-two of the act to which this is an amendment shall read as follows:

Certificates of nominations and petitions filed.

42. All certificates of nomination and all petitions naming candidates for office to be filled by voters of the entire State, or of any congressional district or of any political division greater than a single county, shall be

Time in State.

filed with the Secretary of State at least twenty-five days previous to the election at which the candidates

nominated are to be voted for; all certificates and petitions naming candidates to be voted for by all the voters of a single county or more than a single political division thereof, or where candidates for city office are to be voted for upon the county ticket, shall be filed with the clerks of the respective counties wherein the officers nominated are to be voted for at least thirty days prior to such election; all other certificates and petitions shall be filed with the clerks of the respective municipalities wherein the candidates nominated are to be chosen at least twenty-five days before the election whereat they are to be voted for; all certificates and petitions when filed shall be opened, under proper regulation, for public inspection, and the same shall be preserved for one year; candidates nominated for any office in any certificate or petition shall manifest their acceptance of such nomination by a written acceptance thereof, signed by their own hand upon or annexed to and filed with such certificate or petition, or if the same person be named for the same office in more than one petition, annexed to one of such petitions; the name of any candidate who shall fail in such manner to signify his acceptance of the nomination shall not be printed upon the ballots; it shall be the duty of the county clerks to certify to the Secretary of State, within five days prior to the general election, the names, places of residence and post-office addresses of the several candidates nominated for Senator and members of the General Assembly, together with the title of the party nominating said candidates, and whether by convention or petition, with the dates of holding such convention and of the filing of such certificates of nomination and petitions.

Time in counties.

Time in municipalities.

Preservation of papers.

Candidates to signify acceptance.

Nominees for Legislature certified to Secretary of State.

2. This act shall take effect immediately.

Passed April 12, 1912.

CHAPTER 383.

An Act to amend an act entitled "A supplement to an act entitled 'An act regulating the employment, tenure and discharge of certain officers and 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," approved April seventh, one thousand nine hundred and ten.

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

Section 1 amended.

1. Paragraph one of the act to which this act is amendatory is hereby amended to read as follows:

Salary of examiner and secretary.

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 four thousand dollars to be paid in equal monthly payments out of the treasury of the State on the warrant of the Comptroller.

Repealer.

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

Passed April 12, 1912.

CHAPTER 384.

A Further 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:*

Application for release on parole.

1. All prisoners confined in the New Jersey State Prison who were committed there prior to October twenty-first, one thousand nine hundred and eleven (the date on which the Indeterminate law, a supplementary act 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, became operative) and who had not previously been convicted of felony in this or in any other State of the United States and, who shall, immediately from the date upon which this amendment becomes a law, have served two-thirds of their full respective sentence as prescribed by the trial judge less such commutation time as has been earned during confinement shall be eligible to make application to the board of inspectors for release on parole; *provided,* that one-half a life sentence of any such prisoner, coming within the terms of this provision, shall be construed as amounting to twenty-five years.

Conditions necessary for application.

Proviso.

Effect of denial of application.

2. In such cases where the board of inspectors decide not to make recommendations to the Governor for release on parole of such a prisoner, such a prisoner shall not forfeit any commutation time earned by him, because of having made said application; but upon denial of his application by the board of inspectors he shall continue to serve out his sentence, as prescribed by the law under which he was convicted.

If release recommended.

3. In all such cases where the board of inspectors recommend the release of such a prisoner, and said release is granted, such a prisoner shall receive credit for the commutation time earned by him during his confinement, and same shall be deducted from his maximum sentence as prescribed by the trial judge; *provided,* that no allowance of commutation time shall be granted any such prisoner during the period of his sentence on parole; *and provided further,* that such a prisoner shall be considered within the jurisdiction of the prison authorities, for the maximum term of his original sentence prescribed by the trial judge, less the actual time served in confinement, together with the commutation time earned during said confinement.

Proviso.

Proviso.

Paroled prisoners subject to certain laws.

4. All such prisoners as come within the ruling of section one of this supplement, who are released on parole, are hereby made subject to all the provisions contained in 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, its supplements and amendments, not conflicting, or inconsistent with the provisions of this supplement.

Effective.

5. This act shall take effect immediately.

Repealer.

6. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Passed April 12, 1912.

CHAPTER 385.

An Act to authorize the formation of toll bridge companies and to regulate the same.

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

Formation of company.

1. Any number of persons, not less than five, may form a company for the purpose of constructing, main-

taining and operating a bridge or bridges and approaches thereto for the public use and for that purpose may make and sign articles of association, in which shall be stated the name of the company, the period of time the same is to continue, the name of each county through or into which the said bridge or bridges are to be constructed, maintained and operated; the amount of authorized capital stock of the company, which shall not be less than twenty thousand dollars for every bridge constructed or proposed to be constructed by such company, and the number of shares of the said capital stock, and the names and places of residence of the incorporators of the company, the majority of whom shall be residents of this State. Said articles of association shall be recorded in the office of the clerk of the county where the principal office of such company is located, and shall be filed and recorded in the office of the Secretary of State, and upon tendering the said articles to the Secretary of State to be filed, the persons so associating themselves together, with all persons who shall thereafter become stockholders in such company, shall be a corporation by the name certified in and by such articles of association. Every corporation formed under this act, in addition to the general powers set forth in the act entitled "An act concerning corporations (Revision of 1896)," approved April twenty-first, one thousand eight hundred and ninety-six, and the several supplements thereto, shall have power:

Capital.

Articles recorded with county clerk and filed with Secretary of State.

Powers.

I.

To cause such examinations and surveys for its proposed bridge or bridges, with proper approaches, to be made, as may be necessary to the selection of a most advantageous route, and for such purpose by its officers and servants to enter upon all lands or waters of any person, but subject to the responsibility for all damages which shall be done thereto;

Examinations and surveys.

II.

To take and hold such voluntary grants of real estate and other property as may be necessary for the con-

Acquire property voluntarily.

struction, maintenance and accommodation of its bridge or bridges and approaches thereto;

III.

Purchase property.

To purchase, hold and use all such real estate or other property as may be necessary to accomplish the object of its incorporation;

IV.

Bridge and approaches.

To lay out a bridge or bridges with the proper approaches as hereby provided and to construct the same, and for the purposes of cuttings and embankments to take as much more land as may be necessary for the proper construction, maintenance, operation and security of such bridge or bridges;

V.

Other powers.

To exercise all other powers hereby granted, or now or hereafter lawfully granted to such corporations.

Certified copy of articles in evidence.

2. A copy of any articles of association so filed and recorded, in pursuance of this act, or the record thereof, and certified by the Secretary of State, shall be presumptive evidence of the incorporation of such company and all the facts therein stated.

Directors.

3. There shall be a board of at least five directors of every such corporation formed under this act, and they shall be chosen annually by the stockholders, when, where, and as shall be provided by the by-laws of such corporation and shall hold office for one year, and until others are chosen and qualified in their stead. The

Officers.

other officers of such corporation shall be selected and chosen and shall hold office when and as provided by such by-laws.

As to stock.

4. The stock of any such corporation shall be subscribed, paid for, held and transferred, and the subscriptions therefor collected in the manner set forth in the said act entitled "An act concerning corporations (Revision of 1896)."

Width of bridge.

5. Any bridge constructed under the provisions of this act shall not exceed fifty feet in width, unless more

land shall be required for the slopes of cuts and embankments, and then only such additional land as may be necessary therefor; and it shall be lawful for the said company, its agents, officers, engineers or others in its employ to enter at all times upon all lands or waters for the purpose of exploring, surveying, leveling and laying out the route or routes of any such bridge with the proper approaches and locating the same, and to locate all necessary buildings, appurtenances, and conveniences, doing no unnecessary injury to private or other property, and when the route or routes of any such bridge and approaches and the location and the necessary buildings, appurtenances and conveniences shall have been determined upon, it shall be lawful for every such corporation formed under this company to proceed to condemn and take the land necessary for its business, in accordance with the act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900)," approved March twentieth, one thousand nine hundred, and the several supplements thereto.

Right of entry.

May use condemnation proceedings.

6. It shall and may be lawful for any company incorporated under this act at all times to take, demand, and receive of and from any person or persons who shall pass over or use its said bridge or bridges and approaches, when such person or persons shall enter upon or attempt to use the same, such rate of toll as may be fixed by it from time to time, for persons, wagons, carts, sleighs, sleds, carriages or other vehicles or for horses, cows or other animals, or for things not herein enumerated, entering on, passing over or using any such bridge or bridges and the approaches thereto.

Toll may be taken.

7. It shall be lawful for any toll gatherer of any such company to stop any and all person or persons with wagons, carts, sleighs, carriages or other vehicle or vehicles or things not herein enumerated, and all horses, cows, cattle or other animal or animals, from entering upon, passing over or using any such bridge or bridges and the approaches thereto until the toll herein provided for shall have been paid.

Right to stop passage.

Drawbridges.

8. Any company incorporated under this act shall have power to construct a suspension drawbridge or drawbridges over any channel or channels, thoroughfare or thoroughfares, or over small creeks or rivers; but no company incorporated hereunder shall have power to build a bridge hereunder over any fresh water creek or river which is more than four hundred feet wide.

Bridges over fresh water.

Right to borrow money and issue bonds.

9. Any company incorporated hereunder shall have power to borrow such sum or sums of money, from time to time, not to exceed in the whole the amount of its capital stock, as shall be necessary to build, construct, maintain and repair and keep in repair any such bridge or bridges with the necessary approaches, and to secure the repayment thereof by the execution, negotiation and sale of a bond or bonds, secured by a mortgage or mortgages on the property, lands, privileges, franchises and appurtenances of and belonging to such corporation.

10. This act shall take effect immediately.

Passed April 12, 1912.

CHAPTER 386.

An Act to authorize the appointment of a process server in counties of this State, of the second class having a population exceeding seventy-five thousand.

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

Sheriff may appoint process server.

1. The sheriff of any county in this State, of the second class having a population exceeding seventy-five thousand, if he deem it necessary, may appoint some fit person who shall be authorized and empowered to serve and return any process in such county issuing out of any court of this State, and shall have all the powers of a constable, provided no such appointment may be

Proviso.

made in any county where the whole number of constables now provided by law have been appointed to attend the courts of said county.

2. Such officer shall receive as compensation a sum not exceeding nine hundred dollars per annum, to be fixed by the board of chosen freeholders, payable in the same manner as other officers of such county are paid. Salary.

3. This act shall take effect immediately.

Passed April 12, 1912.

CHAPTER 387.

An Act relating to the care and maintenance of streets and highways in 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 board or body having charge of the streets and highways in any city of the first class may prepare a statement or estimate, not later than April first of each year, of the amount of money which in its judgment is necessary for such fiscal year for street cleaning, street repairs, maintenance of city stables and such other expenses incident to the care of streets and highways. Such statement or estimate shall, not later than April tenth of each year, be transmitted to the board or body having charge of the finances in any such city of the first class, which board or body shall include in the tax budget for such fiscal year the amount of such estimate and shall place the said amount at the disposal of the board or body having charge of the streets and highways; *provided, however,* that the amount so raised and included in the tax budget shall not exceed the proportion of one and one-quarter mills on every dollar of the ratables upon which said tax budget is based. Provision for care of streets. Proviso.

2. This act shall take effect immediately.

Passed April 12, 1912.

CHAPTER 388.

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," which 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:*

Section 4 amended.

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

Preparation of official primary ballot.

4. The official primary ballots to be used at all primary elections held pursuant to this act shall be prepared in the following manner, to wit: A number of voters, not less than the number hereinafter specified, who are members of the same political party, may prepare and sign, with their names, residences and post-office addresses, a petition addressed to the clerk of such municipality as may be proper pursuant to the requirements of this act, setting forth that the signers are qualified voters of the township, borough, ward or election district, as the case may be, in which they reside; that they are members of a political party (naming the same), and that at the last election for members of the General Assembly preceding the execution of said petition they voted for a majority of the candidates whose names were printed in the first place upon the ticket of such party, and that they intend to affiliate with said party at the ensuing election; that they endorse the person or persons named in their petition as candidate or candidates for nomination for the office or offices therein named, and that they request the said clerk to print upon the official primary ballot of such political party the name of the person or per-

Petition to show certain matters.

sons therein mentioned as the candidate or candidates for such nomination, said petition shall further state the residence and post-office address of each person so endorsed, and shall certify that the person or persons so endorsed is or are legally qualified under the laws of this State to be nominated; each of the said petitions shall be verified by the oath or affirmation of one or more of the signers thereof, taken and subscribed before a person qualified under the laws of New Jersey to administer an oath, to the effect that such petition is signed in their own proper handwriting by each of the signers thereof; that such signers are, to the best of their knowledge and belief of the affiant, legal voters of the said township, borough, ward or election district, as the case may be, as stated in said petition, and belong to the political party named in said petition, and that such petition is prepared and filed in absolute good faith for the sole purpose of endorsing the person or persons therein named, in order to secure his or their nomination or selection as stated in said petition; *provided,* that if the said candidate or candidates for nomination for the office or offices in said petition named, are to be voted for throughout an entire township, borough, or ward then there must be at least twenty-five signers to any such petition all of whom must be resident of the said township, borough or ward; and if said candidate or candidates for nomination are to be voted for only in a single election district or in a township, borough, or ward which contains but one election district, then there must be at least ten signers to any such petition, all of whom must be resident in the said election district; *provided further,* that the number of signers to any such petition in any case need not exceed five per centum in number of the total vote cast at the last election for members of the General Assembly in said township, borough, ward or election district, as the case may be; *and provided further,* that the signers to any single petition shall not therein endorse or recommend more persons as candidates for the position than are to be chosen at the ensuing primary election in the township, borough, ward or election district, as

Petition verified.

Proviso

Proviso.

Proviso.

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the case may be, in which the signers to said petition reside, nor shall said signers endorse more persons as candidates for nomination to office than are to be elected in the township, borough, ward or election district, as the case may be, in which such signers reside; said petitions shall be filed with the municipal clerk not less than twenty days prior to said primary election.

Repealer.

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

Passed April 12, 1912.

CHAPTER 389.

An Act to defray the incidental expenses of the Legislature of New Jersey for the session of one thousand nine hundred and twelve.

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

Treasurer authorized to pay certain amounts.

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 of one thousand nine hundred and twelve, $10 00

Item No. 2. To each officer of the Senate and House of Assembly of the session of one thousand nine hundred and eleven, who were present and rendered service in opening the session of one thousand nine hundred and twelve, ten dollars, $10 00

Item No. 3. To Wilbur K. Sloan, for services as clerk to the Secretary of the Senate, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 4. To Frank K. Fischer, for services as President's assistant secretary of the Senate, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 5. To Alexander B. Ayers, for services as assistant bill clerk of the Senate, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 6. To William E. Blackman for services as stenographer to the Senate, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 7. To Martin Schwartz, Jr., for services as stenographer to the Senate, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 8. To Anthony Silzer, for services as stenographer to the Senate, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 9. To Winfield T. Scott, for services as stenographer to the Senate, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 10. To Joseph A. Steelman, for services as clerk to the Committee on Appropriations, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 11. To Walter M. Homan, for services as clerk to the Committee on Boroughs and Townships of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 12. To Ellsworth E. Mount, for services as clerk to the Committee on Public Health of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 13. To W. W. Law, for services as clerk to Committee on Municipal Corporations of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 14. To John Moreland, for services as clerk to Committee on Railroads and Canals of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 15. To Harry J. Davis, for services as clerk to Committee on Education of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 16. To George W. Kynor, for services as clerk to Committee on Banks and Insurance of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 17. To David W. Henderson, for services as gallery keeper of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 18. To John Johnson, for services as gallery keeper of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 19. To George W. Rogers, for services as gallery keeper of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 20. To John W. Cox, for services as gallery keeper of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 21. To Robert McCloy, for services as file clerk of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 22. To Harry Hough, for services as file clerk of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 23. To Walter W. French, for services as file clerk of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 24. To Walter S. Treadwell, for services as cloak room keeper of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 25. To Charles Knudson, for services as file clerk of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 26. To James J. Traynor, for services as page of the Senate, for the session of one thousand nine hundred and twelve, two hundred dollars, $200 00

Item No. 27. To Wilbur K. Sloan, for traveling expenses as Clerk to the Secretary of the Senate, for the session of one thousand nine hundred and twelve, fifty-three dollars and twenty-five cents, $53 25

Item No. 28. To Frank K. Fischer, for traveling expenses as President's assistant secretary of the Senate, for the session of one thousand nine hundred and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 29. To Alexander B. Ayers, for traveling expenses as assistant bill clerk of the Senate for the session of one thousand nine hundred and twelve, forty dollars, $40 00

Item No. 30. To Martin Schwartz, Jr., for traveling expenses as stenographer to the Senate, for the session of one thousand nine hundred and twelve, seventy-seven dollars and seventy-five cents, $77 75

Item No. 31. To Anthony Silzer, for traveling expenses as stenographer to the Senate, for the session of one thousand, nine hundred and twelve, thirty-two dollars, $32 00

Item No. 32. To Winfield T. Scott, for traveling expenses as stenographer to the Senate, for the session of one thousand nine hundred and twelve, eighty-two dollars and fifty cents, $82 50

Item No. 33. To Joseph A. Steelman, for traveling expenses as clerk to the Committee on Appropriations for the session of one thousand nine hundred twelve, fifty-nine dollars and twenty-five cents, $59 25

Item No. 34. To Walter M. Homan, for traveling expenses as clerk to Committee on Boroughs and Townships of the Senate, for the session of one thousand nine hundred and twelve, ninety-one dollars and twenty-five cents, $91 25

Item No. 35. To Ellsworth E. Mount, for traveling expenses as clerk to Committee on Public Health of the Senate, for the session of one thousand nine hundred and twelve, twenty dollars, $20 00

Item No. 36. To W. W. Law, for traveling expenses as clerk to Committee on Municipal Corporations of the Senate, for the session of one thousand nine hundred twelve, fifteen dollars, $15 00

Item No. 37. To John Moreland, for traveling expenses as clerk to Committee on Railroads and Canals of the Senate, for the session of one thousand nine hundred twelve, thirty-five dollars, $35 00

Item No. 38. To Harry J. Davis, for traveling expenses as clerk to Committee on Education of the Senate, for the session of one thousand nine hundred and twelve, ninety-one dollars and twenty-five cents, $91 25

Item No. 39. To David W. Henderson, for traveling expenses as gallery keeper of the Senate, for the session of one thousand nine hundred and twelve, eighty-one dollars and twenty-five cents $81 25

Item No. 40. To John Johnson, for traveling expenses as gallery keeper of the Senate, for the session of one thousand nine hundred and twelve, eighty-one dollars and twenty-five cents, $81 25

Item No. 41. To George W. Rogers, for traveling expenses as gallery keeper of the Senate, for the session of one thousand nine hundred and twelve, twenty-eight dollars and seventy-five cents, $28 75

Item No. 42. To John W. Cox, for traveling expenses as gallery keeper of the Senate, for the session of one thousand nine hundred and twelve, thirty-five dollars, $35 00

Item No. 43. To Robert McCloy, for traveling expenses as file clerk of the Senate, for the session of one thousand nine hundred and twelve, sixty-three dollars and fifty cents, $63 50

Item No. 44. To Walter W. French, for traveling expenses as file clerk of the Senate, for the session of one thousand nine hundred and twelve, forty-three dollars and seventy-five cents, $43 75

Item No. 45. To Charles Knudson, for traveling expenses as file clerk of the Senate, for the session of one thousand nine hundred and twelve, fifty-eight dollars and fifty cents. $58 50

Item No. 46. To Charles R. Fenton, for traveling expenses as clerk to Committee on Printed Bills of the Senate, for the session of one thousand nine hundred and twelve, twenty-six dollars and twenty-five cents, $26 25

Item No. 47. To George C. Black, for traveling expenses as doorkeeper of the Senate, for the session of one thousand nine hundred and twelve, seventy-one dollars and twenty-five cents, $71 25

Item No. 48. To Edward C. Holtzhauser, for traveling expenses as doorkeeper of the Senate, for the session of one thousand nine hundred and twelve, seventy-two dollars and seventy-five cents, $72 75

Item No. 49. To Wm. R. Pinker, for traveling expenses as doorkeeper of the Senate, for the session of one thousand nine hundred and twelve, ninety-one-dollars and twenty-five cents, $91 25

Item No. 50. To Frank Chiaravalli, for traveling expenses as doorkeeper of the Senate, for the session of one thousand nine hundred and twelve, thirty-one dollars and twenty-five cents, $31 25

Item No. 51. To Louis Smith, for traveling expenses as doorkeeper of the Senate, for the session of one thousand nine hundred and twelve, sixty dollars, $60 00

Item No. 52. To George M. King, for traveling expenses as page of the Senate, for the session of one thousand nine hundred and twelve, sixty-three dollars and seventy-five cents, $63 75

Item No. 53. To Paul Loscalzo, for traveling expenses as page of the Senate, for the session of one thousand nine hundred and twelve, ninety-one dollars and twenty-five cents, $91 25

Item No. 54. To Byron Jenkins, for traveling expenses as page of the Senate, for the session of one thousand nine hundred and twelve, thirty-five dollars, $35 00

Item No. 55. To Howard Hoover, for traveling expenses as page of the Senate, for the session of one thousand nine hun-

dred and twelve, seventeen dollars and fifty cents, $17 50

Item No. 56. To Wm. M. Wright, for services rendered the Senate Committee on Incidentals, for the session of one thousand nine hundred and twelve, one hundred fifty dollars, $150 00

Item No. 57. To George C. Skillman, for services rendered the Senate Committee on Incidentals, for the session of one thousand nine hundred and twelve, fifteen dollars, $15 00

Item No. 58. To Elizabeth Schlottenmeier, for services rendered members of the Legislature as telephone operator, for the session of one thousand nine hundred and twelve, fifty dollars, $50 00

Item No. 59. To John Multop, for services rendered the Senate, for the session of one thousand nine hundred and twelve, one hundred dollars, $100 00

Item No. 60. To Harvey F. Rorbach, for services rendered members of the Legislature as postmaster, for the session of one thousand nine hundred and twelve, one hundred dollars, $100 00

Item No. 61. To State Gazette Pub. Co., for stationery supplies furnished the Senate, for the session of one thousand nine hundred and twelve, one thousand three hundred fifty-three dollars and thirty cents, $1,353 30

Item No. 62. To L. N. Clayton, for toilet supplies furnished the Senate, for the session of one thousand nine hundred and twelve, forty-eight dollars, $48 00

Item No. 63. To Stoll Blank Book and Stationery Co., for rental of typewriters and for stationery furnished the Senate, for the session of one thousand nine hundred and twelve, twenty-seven dollars and five cents, $27 05

Item No. 64. To MacCrellish & Quigley, for minute books, pocket calendars, etc., furnished the Senate, for the session of one thousand nine hundred and twelve, one hundred fifty-five dollars, $155 00

Item No. 65. To The Delaware and Atlantic Telegraph and Telephone Co., for telephone service furnished the Senate, for the sessions of one thousand nine hundred and ten and one thousand nine hundred and eleven, fourteen dollars and eighty cents, $14 80

Item No. 66. 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-sixth Legislature, for the session of one thousand nine hundred and twelve, one hundred dollars, $100 00

Item No. 67. To Gaudaloup A. Holl, for traveling expenses, serving subpœnas, witness fees and expenses of investigation, et cetera, in connection with trial of Senator Fitzherbert, for the session of one thousand nine hundred and twelve, two hundred sixty-seven dollars and fifty-nine cents, $267 59

Item No. 68. To Hervey S. Moore, for services as stenographer to the House of Assembly, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 69. To William P. Godfrey, for services as clerk to Committee on Banks and Insurance of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 70. To Harry Klag, Jr., for services as clerk to Committee on Education of the House of Assembly, for the

session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 71. To Charles B. Green, for services as clerk to Committee on Corporations of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 72. To Clarence Lummis, for services as clerk to Committee on Militia of the House of Assembly for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 73. To John Duncan, for services as clerk to Committee on Highways of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 74. To Raymond Radliff, for services as clerk to minority leader of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 75. To Thomas Grant, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 76. To John B. Walker, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 77. To Joseph Kinzley, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 78. To Charles Gerhart, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twleve, three hundred dollars, $300 00

Item No. 79. To Jos. Curacoa, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 80. To Wm. Augustine, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars. $300 00

Item No. 81. To Raymond Del Tufo, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 82. To Hugh O'Brien, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 83. To Chas. J. Guenther, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 84. To Daniel Green, Jr., for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 85. To Isaac N. Blue, Jr., for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 86. To Wm. Kinney, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 87. To Horace Sparks, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 88. To Clarence Finkle, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 89. To Raymond Radliff, for traveling expenses as clerk to minority leader of the House of Assembly for the session of one thousand nine hundred and twelve, seventy-nine dollars and fifty cents, $79 50

Item No. 90. To Thomas Grant, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item No. 91. To John B. Walker, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, forty-six dollars and twenty-five cents, $46 25

Item No. 92. To Joseph Kinzley, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, ninety-two dollars and fifty cents, 86 25

Item No. 93. To Chas. Gerhart, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 94. To Jos. Curacoa, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, one hundred dollars, $100 00

Item No. 95. To Wm. Augustine, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item No. 96. To Raymond Del Tufo, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item No. 97. To Hugh O'Brien, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item No. 98. To Chas. J. Guenther, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item No. 99. To Isaac N. Blue, Jr., for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, thirty-seven dollars, $37 00

Item No. 100. To Wm. Kinney, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, one hundred twelve dollars and fifty cents, $112 50

Item No. 101. To Horace Sparks, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, thirty-five dollars, $35 00

Item No. 102. To Clarence Finkle, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 103. To Wm. P. Godfrey, for traveling expenses as clerk to Committee on Banks and Insurance of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item No. 104. To Charles B. Green, for traveling expenses as clerk to Committee on Corporations of the House of Assembly, for the session of one thousand nine hundred and twelve, twenty-five dollars, $25 00

Item No. 105. To Clarence Lummis, for traveling expenses as clerk to Committee on Militia of the House of Assembly, for the session of one thousand nine hundred and twelve, thirty-five dollars, $35 00

Item No. 106. To John Duncan, for traveling expenses as clerk to Committee on Highways of the House of Assembly, for the session of one thousand nine hundred twelve, fifty-eight dollars and fifty cents, $58 50

Item No. 107. To William Cooper, for traveling expenses as clerk of Committee on Municipal Corporations of the House of Assembly, for the session of one thousand nine hundred and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 108. To Major Henry, for traveling expenses as doorkeeper of the House of Assembly, for the session of one thousand nine hundred and twelve, ninety dollars, $90 00

Item No. 109. To Sidney J. Turner, for services as stenographer to the House of Assembly, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 110. To Sidney J. Turner, for traveling expenses as stenographer to

the House of Assembly, for the session of one thousand nine hundred and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 111. To Isaiah J. Holden, for traveling expenses as doorkeeper of the House of Assembly, for the session of one thouand nine hundred and twelve, thirty-six dollars and twenty-five cents, $36 25

Item No. 112. To Thomas Berry, for traveling expenses as doorkeeper of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item No. 113. To Harry C. Haskins, for traveling expenses as doorkeeper of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item No. 114. To Wm. Forschler, for traveling expenses as doorkeeper of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item No. 115. To Victor Carlson, for traveling expenses as doorkeeper of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item No. 116. To Paul Klepper, for traveling expenses as doorkeeper of the House of Assembly, for the session of one thousand nine hundred and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 117. To David Harris, for traveling expenses as doorkeeper of the House of Assembly, for the session of one thousand nine hundred and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 118. To Samuel Percey, for traveling expenses as doorkeeper of the

House of Assembly, for the session of one thousand nine hundred and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 119. To Horace B. Stoughton, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and twelve, twenty-eight dollars, $28 00

Item No. 120. To Henry Rutter, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and twelve, ninety dollars, $90 00

Item No. 121. To Robert Senkowsky, for traveling expenses as doorkeeper of the House of Assembly, for the session of one thousand nine hundred and twelve, fifty-three dollars and fifty cents, $53 50

Item No. 122. To George Schott, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item No. 123. To Charles Smith, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item 124. To Henry Wadams, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-seven dollars and fifty cents, $67 50

Item No. 125. To Albert Perret, Jr., for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and twelve, forty-two dollars and fifty cents, $42 50

Item No. 126. To Joseph Basile, for traveling expenses as page of the House of Assembly, for the session of one thou-

sand nine hundred and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 127. To John W. White, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 128. To William Smith, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 129. To John A. Huft, Jr., for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and twelve, fifty dollars, $50 00

Item No. 130. To George Blowe, for traveling expenses as clerk to Committee on Railroads and Canals of the House of Assembly, for the session of one thousand nine hundred and twelve, thirty-five dollars, $35 00

Item No. 131. To John Q. Hayes, for traveling expenses as clerk to Committee on Revision of Laws of the House of Assembly, for the session of one thousand nine hundred and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 132. To Benj. F. Lacey, for traveling expenses as clerk to Committee on Printed Bills of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty-five dollars, $65 00

Item No. 133. To John B. Kates, for traveling expenses as clerk to Committee on Judiciary of the House of Assembly, for the session of one thousand nine hundred and twelve, thirty-five dollars, $35 00

Item No. 134. To Martin Girven, for services as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 135. To Martin Girven, for traveling expenses as file clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, twenty-six dollars and twenty-five cents, $26 25

Item No. 136. To A. W. Chapman, for services as clerk to Committee on Incidentals of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 137. To George C. Skillman, for services rendered the Committee on Incidentals of the House of Assembly, for the session of one thousand nine hundred and twelve, fifteen dollars, $15 00

Item No. 138. To Lee and Co., for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and twelve, one thousand twenty dollars and twenty cents, $1,020 20

Item No. 139. To Stoll Blank Book and Stationery Co., for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred twelve, one thousand seventy-seven dollars and fifteen cents, $1,077 15

Item No. 140. To T. F. Fitzgerald, for manuals of the Legislature for the year one thousand nine hundred and twelve, furnished the House of Assembly, for the session of one thousand nine hundred and twelve, four hundred seventy-six dollars, $476 00

Item No. 141. To S. T. Morrow, for stationery supplies furnished the House of Assembly, for the session of one thou-

sand nine hundred and twelve, three hundred forty-four dollars and fifty cents, $344 50

Item No. 142. To MacCrellish & Quigley, for calendars, minute books, statements, etc., furnished the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred six dollars and seventy-five cents, $306 75

Item No. 143. To Sol H. Vogel, for opening and changing combinations on safes for the House of Assembly for the session of one thousand nine hundred and twelve, four dollars and fifty cents, $4 50

Item No. 144. To Joseph F. Galvin, for diagrams of the House of Assembly furnished the House of Assembly, for the session of one thousand nine hundred and twelve, nine dollars, $9 00

Item No. 145. To Upton S. Jefferys, for expenses incurred for postage, telephone charges and services of stenographer preliminary to the organization of the House of Assembly, for the session of one thousand nine hundred and twelve, ten dollars, $10 00

Item No. 146. To The Whitehead & Hoag Co., for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and twelve five hundred twenty-six dollars and sixty-five cents, $526 65

Item No. 147. To Petry's Express and Delivery, for freight paid and carting for the House of Assembly, for the session of one thousand nine hundred and twelve, one dollar and ninety cents, $1 90

Item No. 148. To A. L. Clark, for services engrossing resolution adopted upon the death of J. Willard Morgan by the House of Assembly, for the session of one thousand nine hundred and twelve, ten dollars, $10 00

Item No. 149. To J. J. Vreeland, Jr., for services as assistant in office of supervisor of bills of the House of Assembly, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 150. To J. J. Vreeland, Jr., for traveling expenses as assistant in office of supervisor of bills of the House of Assembly, for the session of one thousand nine hundred and twelve, one hundred dollars, $100 00

Item No. 151. To Jed Du Bois, for services as assistant to the journal clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 152. To Jed Du Bois, for traveling expenses as assistant to the journal clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, ninety-one dollars and twenty-five cents, $91 25

Item No. 153. To Joseph Navatto, for services as assistant to the clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 154. To Joseph Navatto, for traveling expenses as assistant to the clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, thirty-eight dollars and seventy-five cents, $38 75

Item No. 155. To Cornelius VanDervate, for services as assistant to the clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, four hundred dollars, $400 00

Item No. 156. To Cornelius VanDervate, for traveling expenses as assistant to the clerk of the House of Assembly, for the session of one thousand nine hundred

and twelve, eighty-six dollars and twenty-five cents, $86 25

Item No. 157. To Edw. Lyons, for services as assistant to the bill clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 158. To Edw. Lyons, for traveling expenses as assistant to the bill clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, ninety-three dollars and seventy-five cents, $93 75

Item No. 159. To Philip McElroy, for services as assistant in office of supervisor of bills of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred and fifty dollars, $350 00

Item No. 160. To Philip McElroy, for traveling expenses as assistant in office of supervisor of bills of the House of Assembly, for the session of one thousand nine hundred and twelve, sixty dollars, $60 00

Item No. 161. To Herman Umberkamp, for services as assistant in office of supervisor of bills of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 162. To Herman Umberkamp, for traveling expenses as assistant in office of supervisor of bills of the House of Assembly, for the session of one thousand nine hundred and twelve, fifty-three dollars and fifty-cents, $53 50

Item No. 163. To Harry Johnson, for services as postmaster of the House of Assembly, for the session of one thousand nine hundred and twelve, three hundred dollars, $300 00

Item No. 164. To Harry Johnson, for traveling expenses as postmaster of the House of Assembly, for the session of one thousand nine hundred and twelve, eighty-one dollars and twenty-five cents, $81 25

Item No. 165. To Walter P. Pursell, for services rendered the supervisor of bills of the House of Assembly, for the session of one thousand nine hundred and twelve, one hundred fifty dollars, $150 00

Item No. 166. To John R. Flavell, for postage and incidentals for the House of Assembly, for the session of one thousand nine hundred and twelve, one hundred fifty dollars, $150 00

Item No. 167. To State Gazette Publishing Co., for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and twelve, eight hundred thirty-two dollars and seventy cents, $832 70

Item No. 168. To Advocate Publishing Co., for minute books furnished the House of Assembly, for the session of one thousand nine hundred and twelve, forty-seven dollars and fifty cents, $47 50

Item No. 169. To The Delaware and Atlantic Telegraph and Telephone Co., for telephone service furnished the House of Assembly, for the session of one thousand nine hundred and twelve, eighty-seven dollars and twenty cents, $87 20

Item No. 170. To The Delaware and Atlantic Telegraph and Telephone Co., for telephone service furnished the House of Assembly, for the session of one thousand nine hundred and ten and one thousand nine hundred and eleven, one hundred seventy dollars and five cents, $170 05

Item No. 171. To The Remington Typewriter Co., for typewriter and cover in exchange for old machine furnished the

House of Assembly, for the session of one thousand nine hundred and twelve, fifty-three dollars and fifty cents, $53 50

Item No. 172. To The Underwood Typewriter Co., for typewriter ribbons furnished the House of Assembly, for the session of one thousand nine hundred and twelve, one dollar and fifty cents, $1 50

Item No. 173. To The Remington Typewriter Co., for rental of typewriters for the House of Assembly for the session of one thousand nine hundred and twelve, eighteen dollars, $18 00

Item No. 174. To Walter W. Prior, for overhauling typewriter for the House of Assembly, for the session of one thousand nine hundred and twelve, twelve dollars, $12 00

Item No. 175. To Warren C. Pine for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and twelve, four hundred forty-two dollars and fifty cents. $442 50

Item No. 176. To The Legislative News Bureau, for synopsis of bills introduced furnished the House of Assembly, for the session of one thousand nine hundred and twelve, one hundred twenty-five dollars, $125 00

Item No. 177. To William Cooper, for services as clerk Committee on Fish and Game of the House of Assembly, for the session of one thousand nine hundred and twelve, one hundred dollars, $100 00

Item No. 178. To Wm. R. Swan, for postage for bills mailed for Members of the House of Assembly, for the session of one thousand nine hundred and twelve, nineteen dollars and seventy-one cents, $19 71

Item No. 179. To W. A. Beecroft, sergeant-at-arms of the House of Assembly, for the session of one thousand nine hun-

dred and eleven, for the amount paid Merchants' Express for freight bills, one dollar and sixty-three cents, $1 63

Item 180. To James J. Traynor, for traveling expenses as page of the Senate, for the session of one thousand nine hundred and twelve, forty dollars, $40 00

Item No. 181. To Sidney J. Turner, for services as stenographer and transcript of testimony furnished in connection with trial of Senator Fitzherbert, for the session of one thousand nine hundred and twelve, three hundred thirty-seven dollars, $337 00

Item No. 182. To John Moreland, for services rendered in connection with the trial of Senator Fitzherbert, for the session of one thousand nine hundred and twelve, thirty dollars, $30 00

Item No. 183. To Owen W. Kite, for services rendered Joint Committee on Appropriations in preparation of the annual and supplemental appropriation bills, for the session of one thousand nine hundred and twelve, five hundred dollars, $500 00

Item No. 184. To Charles C. Bohm, for postage on bills mailed for Senators, for the session of one thousand nine hundred and twelve, eighteen dollars and twenty-five cents, $18 25

Item No. 185. To James Brian, for services rendered members of the Legislature as telephone messenger, for the session of one thousand nine hundred and twelve, twenty-five dollars, $25 00

Item No. 186. To Warren C. Pine, for stationery supplies furnished the Senate for the session of one thousand nine hundred and twelve, sixteen dollars and twenty-five cents, $16 25

Item No. 187. To Byron Jenkins, for extra services rendered the Secretary of the Senate, for the session of one thousand nine hundred and twelve, one hundred fifty dollars, $150 00

Item No. 188. To Joseph D. Troth, for services as clerk to Committee on Revision and Amendment of the Laws of the Senate, for the session of one thousand nine hundred and twelve, three hundred fifty dollars, $350 00

Item No. 189. To Joseph D. Troth, for traveling expenses as clerk to Committee on Revision and Amendment of the Laws of the Senate, for the session of one thousand nine hundred and twelve, sixty-eight dollars, $68 00

Item No. 190. To The Legislative News Bureau, for services rendered in furnishing copies of bills introduced and passed, for the Senate, for the session of one thousand nine hundred and twelve, one hundred dollars, $100 00

Item No. 191. To Delaware and Atlantic Telegraph and Telephone Co., for telephone service furnished the Senate, for the session of one thousand nine hundred and twelve, twenty-four dollars and twenty cents, $24 20

Item No. 192. To Gaudaloup A. Holl, for postage for the Senate, for the session of one thousand nine hundred and twelve, two hundred sixty-five dollars, $265 00

Item No. 193. To Gaudaloup A. Holl, for services rendered as sergeant-at-arms in connection with the trial of Senator Fitzherbert, for the session of one thousand nine hundred and twelve, fifty dollars, $50 00

Item No. 194. To Albert A. Ochs, for printing list of committees of the Senate, for the session of one thousand nine hundred and twelve, seven dollars, $7 00

Item No. 195. To Jed DuBois, for extra services as assistant to the journal clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, fifty dollars, $50 00

Item No. 196. To Harry Gratton, for extra services as assistant to the journal clerk of the House of Assembly, for the session of one thousand nine hundred and twelve, fifty dollars, $50 00

2. This act shall take effect immediately.

Passed April 12, 1912.

CHAPTER 390.

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 eight of the act to which this is an amendment is hereby amended to read as follows: Section 8 amended.

8. The salaries of 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 ninety thousand and two hundred thousand inhabitants, an annual salary of seventeen hundred and fifty dollars; in cities having between sixty thousand and ninety 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 Salaries of clerks.

thousand and twenty-three thousand inhabitants, an annual salary of seven hundred and fifty dollars; in judicial districts having one hundred thousand inhabitants or over an annual salary of seventeen hundred and fifty dollars; in judicial districts having between forty thousand and one hundred thousand inhabitants an annual salary of eight hundred dollars; in judicial districts having less than forty thousand inhabitants an annual salary of six hundred dollars; which salaries of such clerks shall be in lieu of all fees whatsoever.

2. This act shall take effect immediately.

Approved April 2, 1912.

CHAPTER 391.

An Act to amend an act entitled "An act to repeal sundry acts relative to the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents, in towns, townships and boroughs and other municipalities except cities of this State, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages and to enforce the payment thereof and to provide for the sale of lands subject to future taxation and assessment," approved April twenty-first, one thousand nine hundred and eleven.

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

Section 3 amended.

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

in effect.

3. This act shall take effect January first, nineteen hundred and fourteen.

2. This act shall take effect immediately.

Approved April 2, 1912.

CHAPTER 392.

A Further Supplement to an act entitled "An act relative to oaths and affidavits," 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. All oaths, affirmations and affidavits required to be made or taken by any statute of this State, or necessary or proper to be made, taken or used in any court of this State, or for any lawful purpose whatever, may be made and taken by and before the Chief Justice of the United States, or any Associate Justice of the Supreme Court of the United States; *provided,* that nothing herein contained shall apply to the official oath or affirmation required to be made or taken by any of the officers of this State, nor to any oath, affirmation or affidavit required to be made and taken in open court, nor to cases where it shall be necessary for the party making or procuring such oath, affirmation or affidavit, to give notice to any person interested, of the taking of such oath, affidavit or affirmation.

Who may administer oaths.

Proviso.

2. This act shall take effect immediately.

Approved April 15, 1912.

CHAPTER 393.

A Further Supplement to an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and twelve," approved July sixth, one thousand nine hundred and eleven.

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

Additional 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 twelve:

1.

COMMISSION TO INVESTIGATE THE MANNER OF SELECTING JURIES.

Commission on juries.

For expenses incurred by the commission appointed pursuant to Joint Resolution number nine, approved April first, one thousand nine hundred and twelve, three thousand dollars.

2.

COMMITTEE TO MAKE A FURTHER INVESTIGATION AND REPORT UPON THE SUBJECT OF THE ABANDONMENT OF THE MORRIS CANAL.

Abandonment of Morris canal.

For the purpose of carrying into effect the provisions of a Joint Resolution entitled "A Joint Resolution providing for the appointment of a committee to make a further investigation and report upon the subject of

the abandonment of the Morris Canal and making an appropriation for the expenses of such investigation and report," five thousand dollars; *provided*, said Joint Resolution becomes a law. Proviso.

3.

INVESTIGATION OF THE SENATOR FROM MORRIS COUNTY.

For expenses incurred by the committee appointed to investigate the conduct of the Senator from Morris county, in connection with the pending legislation relative to the abandonment of the Morris Canal, pursuant to resolution adopted by the Senate March twenty-eighth, one thousand nine hundred and twelve, one thousand five hundred dollars. Senatorial investigation.

4.

STATE BOARD OF ASSESSORS.

For Charles Hansel for services at the rate of one thousand dollars per month and for clerical and other expenses incident to his work respecting the revaluation of railroad and canal property and for making effective the result of said revaluation, to be paid upon the approval of the State Board of Assessors, twelve thousand dollars. Revaluation of railroads and canals.

5.

COMMISSION TO INVESTIGATE PRESENT METHODS OF MAKING ASSESSMENTS FOR TAXES THROUGHOUT THE STATE.

For expenses of the commission appointed pursuant to Joint Resolution number seven, approved April first, one thousand nine hundred and twelve, three thousand dollars. Method of taxing.

6.

COUNTY SUPERINTENDENTS.

For additional allowance for county superintendents of schools, for salaries, two thousand five hundred dol- County superintendents.

lars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

2. This act shall take effect immediately.

Approved April 15, 1912.

CHAPTER 394.

An Act to amend the title of an act entitled "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," approved April twelfth, one thousand nine hundred and ten, so that the title, when amended, shall include as a part of the object of such act the raising of revenue from the license fees imposed in accordance with said act.

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 regulate and control the business of the making of loans on pledges of personal property, chattel mortgages, or assignment of salary or wages," approved April twelfth, one thousand nine hundred and ten, is hereby amended so as to read as follows:

New title.

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, and to raise revenue by means of license fees to be imposed upon such business.

Repealer.

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

Approved April 15, 1912.

CHAPTER 395.

An Act to provide for the permanent improvement and maintenance of public roads in this State (Revision of 1912).

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

Improvement of roads.

1. The board of chosen freeholders of any county in this State may, at any time, by resolution, direct that any public road or section of road except a city street located within said county, being at least thirty-three feet in width, and at least one mile in length, or, being less than one mile in length, is an extension of or connection with some permanently improved or paved road or street, be improved by the construction of a macadamized road, or a telford or other stone road, or a road constructed of gravel, oyster shells or other similar materials, with or without plastic binder, in such manner that the same, of whatever materials constructed, shall, with reasonable repairs thereto, at all seasons of the year, be firm, smooth and convenient for travel. When more roads are applied for than can be constructed in any one year, the board of chosen freeholders and State Commissioner of Public Roads shall have power and authority to select from the roads petitioned for the ones first to be constructed, having first regard to the most important roads and the distribution of the benefits of this act to all parts of the county. The board of chosen freeholders may, before approval of any road, require as a condition of said approval that the township or townships or other municipalities through which said road runs shall pay ten per centum of the cost of said improvement, said payment to be applied to the county's share of the cost of the improvement of said roads constructed under this act.

Materials used.

Roads designated.

Part payment by townships.

Surveys and plans.

2. The said board, after passage of the resolution, shall cause a survey of said road so to be improved to be made, and plans, cross-sections and specifications of the work to be done on the same to be prepared. The survey shall indicate the width and length of said road, and shall also show how much of said road may be improved by deviation from the then existing lines, but no survey shall be commenced until the written consent of the State Commissioner of Public Roads shall have been first obtained. When the said plans, cross-sections and specifications shall have been prepared, they shall be submitted to the board of chosen freeholders for its approval or rejection. If such board shall approve the same, they shall then be submitted to the State Commissioner of Public Roads for his approval or rejection, whose duty it shall be, before approving of said plans, cross-sections and specifications, to ascertain, by personal inspection or otherwise, the natural character of the soil upon which such road is proposed to be constructed, and any and all other facts that he may deem important. If, after examination of the plans, cross-sections and specifications he approves their scope and detail, and by an inspection of the road, as aforesaid, he shall be satisfied as to the advisability of the improvement of the road as contemplated, and that the State's share of the cost of the construction of said road, together with its share of the cost of the construction of all other roads or sections of roads in this State, under plans and specifications previously approved by him, will not in any one year exceed the sum of five hundred thousand dollars, or such sum as shall in each year be appropriated for that purpose, then he shall approve in writing thereon said plans, cross-sections and specifications, otherwise he shall reject the same.

Approval by freeholders.

Examination and approval by commissioner of roads.

Maximum expenditure yearly.

Bids invited.

3. Within thirty days after approval of the plans, cross-sections and specifications by the State Commissioner of Public Roads, it shall be the duty of the board of chosen freeholders to advertise for bids for said work in two of the public papers printed in said county, and they may also advertise in one engineering journal

published in the city of New York, for three weeks successively, at least once in each week. The first publication of which advertisement shall be at least seventeen days before the date fixed therein for the receipt of bids. This advertisement shall state the place where bidders may examine said plans, cross-sections and specifications, and the time and place where bids for said work will be received by the board of chosen freeholders, or a committee of said board. Each bidder must accompany his bid with a certified check, payable to the county collector, for one thousand dollars, as a guarantee that if said work be awarded to him he will enter into a contract with said board for the same. This contract must be executed, together with a bond of the successful bidder, in the penal sum of at least the estimated cost of said work, with two or more sureties, freeholders of the county, or a surety or trust company created by this State, or a surety or trust company of another state, authorized to transact business within this State, to be approved by the director of the board of chosen freeholders and the finance committee thereof, conditioned for the faithful performance of said work in strict conformity with the plans, cross-sections and specifications for the same, within thirty days from the awarding of the contract. The contract and bond, before any work is done thereunder, must be exhibited to the State Commissioner of Public Roads for his approval, in writing, thereon, and said commissioner is hereby authorized, whenever, in his judgment, the best interests of the county require him so to do, to reject the same, in which case he shall write upon said contract the word "rejected," and append thereto his signature and official title of office, and said contract and the bond required to accompany the same shall, from the time of such rejection, be absolutely null and void, but such rejection shall in no wise operate to prevent said board from readvertising for bids and proceeding thenceforth under the provisions of this act; *provided,* such action is taken within four months after such rejection, otherwise said approval shall be null and void. The time and manner of pay-

Guarantee of bidder.

Contract.

Approval of contract and bond.

Proviso.

ment for work done under any contract awarded under this act shall be set forth in said contract, but at least five per centum of the contract price shall not be paid to the contractor until after the expiration of one year from the completion of the work and acceptance thereof in writing by the Commissioner of Public Roads.

Five per cent. withheld for a year.

What included in road improvement.

4. The road improvement contemplated under this act shall include the construction of the road and its intersections with other public roads, the restoration or construction, as herein provided, of proper and adequate entrances to properties, the building of any essential walls in cuts or for slopes, and of all necessary facilities for drainage in improvement aforesaid, also the planting of shade trees, such works as may be necessary to preserve existing shade trees and such treatment of adjacent forest lands as may be needed to make the road and its borders an effective fire break.

See Sec. 15

As to bridges.

When the State Commissioner of Public Roads shall deem an existing bridge or culvert in a road to be improved as unsafe, unsuited or inadequate to the need of the road or traffic which it serves, or of such design or character as requires too frequent repairs, or the cost of a structure yet unbuilt as too great for the public body charged with such construction, he may make written agreement therewith to bear a part of the cost of such new structure under conditions and for a design approved by him, but in no case in excess of twenty per centum of such cost. Such bridge and culvert building may be included in the road contract, or separately contracted for and advertised in the engineering journal as hereinbefore specified. Every such separate contract must be approved by the commissioner. All advertisements shall be made as required by this act and bids received shall give separately the price of each bridge or culvert when the same are included in the road contract.

Costs included in State's share.

For the purpose of estimating the State's share of the cost of the work under this act, said cost shall include that of supervision and engineering.

Supplemental contracts incident to work.

The board of chosen freeholders may, after the execution and approval by the State Commissioner of Pub-

lic Roads of a contract or contracts for improvement under this act, make without public advertisement, supplemental contracts for additional work found to be necessary as a part of such improvement; provided such contracts shall not cover any additional mileage or length of road, nor alter the general character of the improvement; *and provided further,* that before any such contracts shall become binding, and before any work shall be done thereunder, they shall be submitted to and approved by the State Commissioner of Public Roads in the same manner as hereinbefore provided in the case of contracts let after public advertisement.

Proviso.

Proviso.

The State's share of or contribution to the cost of any improvement under this act shall be forty per centum of the total estimated cost thereof, except when otherwise provided in this act or when the same is left to the discretion of the State Commissioner of Public Roads.

State's share of cost.

5. A true copy of the specifications, bid, contract, bond, justification of surety and summary of all bids received (including any rejected and the cause therefor), certified to be such by the director of the board of chosen freeholders, shall, immediately after the awarding of any contract, be furnished by the board of chosen freeholders to the State Commissioner of Public Roads, to be filed and remain of record in the office of such commissioner.

Copy of all papers filed with road commissioner.

6. The State Commissioner of Public Roads is empowered to employ as need arises, a staff of qualified road inspectors, certified as such by the Civil Service Commission, at salaries not exceeding nine hundred dollars per year, and such proper itemized and reported expenses (not in excess of one hundred and fifty dollars per year) as the said commissioner may allow. Such staff shall not exceed ten in number, shall be decreased for reduction of force whenever possible, and may be removed for cause, or assigned to any work appertaining to roads which the commissioner may elect.

Road inspectors.

Salaries and expenses.

Number of inspectors.

When needed by numbers of contracts under way, additional like qualified road inspectors may be employed at three dollars per each day of actual service,

Additional inspectors.

that each contract may have at least one inspector, or two when the character and extent of the work demands the same. All inspectors shall be paid from the State's appropriated share of the cost of the road and credit for these payments shall be allowed the State in fixing its share of such cost.

Partial payments on contract.

7. Where any contract provides for partial payments based upon the amount of work done, it shall be the duty of the inspector, in conjunction with the engineer, as each payment becomes due, to present to the board of chosen freeholders a certificate, signed by such inspector and engineer, in which certificate shall be stated, as near as can be, the amount of work done for which payment is to be made, and that the same has been done, in all respects, in strict conformity with the contracts, plans and specifications. When the work done under any contract shall have been fully completed, the inspector and engineer shall prepare a detailed and itemized statement, in quadruplicate, of the cost of the improvement, one copy whereof shall be filed with the board of chosen freeholders, one with the clerk of the county and two with the State Commissioner of Public Roads.

Final report.

Payments by State.

8. The State's share of the cost of all roads constructed under this act, not exceeding in any one year the sum of five hundred thousand dollars, shall be paid out of the State treasury, out of any moneys not otherwise appropriated, if the same be first appropriated in the annual appropriation act. The Governor and State Commissioner of Public Roads shall certify from time to time to the State Comptroller the amount to be paid to any county, township, town, borough, village or other municipality for such year, and the State Comptroller shall draw his warrant on the State Treasurer in favor of the county collector or collector of the township, town, borough, village or municipality, as the case may be, for the amount so certified, and the State Treasurer shall thereupon pay the same.

Partial payments to municipalities.

When any contract provides for partial payments based upon the amount of work done, the intent of this act is that partial payments to any county, township or

municipality shall be certified as aforesaid, provided the amount so certified is not in excess of the State's proportional share of that paid on account of the contract or contracts for work done by said county, township or municipality as provided in section seven of this act.

County's share appropriated annually.

9. On or before the time fixed by law for the closing and final adoption of the annual tax budget of the county, the board of chosen freeholders of such county shall appropriate either in the annual tax budget or separately the county's share or portion of the estimated cost and expense of all work contracted for under the provisions of this act since the day fixed by law for the closing and final adoption of the annual tax budget of the county in the year next preceding which shall be the total cost of such work less the amount certified to be paid by the State.

Amount certified to county tax board.

The sum or sums so fixed and appropriated shall be certified to the county board of taxation and shall be included in the assessment of county taxes and shall be assessed, collected and paid over to the county in the same manner and at the same time that other county taxes are assessed, collected and paid over; if a deficiency shall exist in consequence of the cost and expense exceeding the estimate, or in consequence of the receipt of a lesser sum from the State as its share of said total cost and expense than shall have been estimated or fixed, the board of chosen freeholders shall have authority to borrow, on temporary loans, such deficiency, and shall include the amount of the same with accrued interest in its next annual budget and the same shall be assessed, collected and paid over as other taxes are assessed, collected and paid over, or the same may be raised by an issue of bonds either separately or in conjunction with an issue to meet and pay the cost and expense of improving any other road under this act, and in the same manner as herein provided for issuing bonds of the county.

In case of deficiency.

If surplus.

If, for any reason, there be a surplus, the same shall be retained and used in the improvement of other roads under this act or in repairs to roads improved under this act.

Bonds may be issued instead.

10. The board of chosen freeholders may, instead of certifying to the county board of taxation the county's share of the cost of any work done under this act, as required by the ninth section of this act, by resolution, adopted by a vote of at least two-thirds of all its members, issue bonds of the county for its proper share of the cost of said work which shall be an amount not exceeding the total cost of such work, less the amount certified to be paid by the State.

Roads chargeable to counties.

11. From and after the date of the approval by the State Commissioner of Public Roads of any contract under this act for the improvement of any road, such road shall forever thereafter be a county road. Any road improved under the provisions of any previous act entitled "An act to provide for the permanent improvement of public roads in this State," any road accepted by any board of chosen freeholders under chapter one hundred and fourteen of the laws of one thousand nine hundred and four, and any road acquired under chapter one hundred and twenty-one, laws of one thousand nine hundred and ten, shall forever thereafter be a county road, and the duty of keeping the same in repair shall devolve exclusively upon the board of chosen freeholders and the county supervisor, as hereinafter mentioned, and all other powers and duties respecting such roads shall be imposed upon and vested in the said board of chosen freeholders, to the exclusion of all township, town, borough, village or other municipal officers.

Sidewalks and drains.

No power conferred on any of said governing bodies shall in any way 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.

Proper maintenance.

If any such road shall become out of repair, and shall not be repaired within sixty days after notice in writing so to do, given by the State Commissioner of Public Roads to the board of chosen freeholders, or to its director, the said Commissioner of Public Roads shall certify to such neglect or refusal to the State Comptroller, who shall withhold payment to such county of any moneys already apportioned, or that may thereafter be apportioned, to such

county by the State, and no payment shall be made to said county until the State Commissioner of Public Roads shall certify to the State Comptroller that said road has been placed in a good state of repair.

County engineer and supervisor.

12. After the first county road shall have been constructed under this act in any county, it shall be the duty of the board of chosen freeholders to appoint some suitable person as county supervisor of roads, and a qualified civil engineer as county engineer, and each of whom, before assuming the duties of his office, shall make and subscribe an oath or affirmation that he will faithfully perform all the duties of his office to the best of his ability and understanding. Such supervisor and engineer shall hold office for five years and until his successor is appointed and qualified. Each shall give bond to the board of chosen freeholders in the penal sum of one thousand dollars, conditioned for the faithful performance of the duties of his office, with such surety or sureties as the board shall approve. The said engineer shall receive such compensation for his services as the said board shall determine and said supervisor shall receive a salary and allowance for expenses, both fixed by said board, but said compensation or salary is not to be reduced during the said engineer's or supervisor's term of office.

Oath.

Term.

Bond.

Compensation.

Subject to dismissal

The said engineer or supervisor may be dismissed at any time by the governing body after a proper hearing upon proof sustaining to the satisfaction of said body charges preferred by the said body or the State Commissioner of Public Roads for incompetency, neglect, disability or other cause; *provided, however,* that the said engineer or supervisor shall have the right to appeal to the State Highway Commission for hearing, review and final adjudication, from any order of dismissal, within fifteen days of the adoption thereof. In the event of such dismissal the said board shall immediately appoint a new engineer or supervisor to hold for the full term of five years from date of appointment. The said board of chosen freeholders shall appropriate all moneys necessary to keep any and all roads constructed under this act in good repair and free from

Proviso.

New engineer or supervisor.

Money for road maintenance.

obstructions, and if the board shall have no money which may be lawfully used for such purposes, it shall have the power to borrow the same on the credit of the county, until the next annual taxes shall have been levied and collected. The cost of all repairs and removal of obstructions shall be paid by the county collector, upon the order of the board of chosen freeholders, and all bills for repairs and removal of obstructions shall be verified by affidavit, and shall be certified to be correct by the county supervisor of roads.

Repairs, etc.

Payment for land acquired for roads.

13. Whenever it is deemed necessary and advisable by the board of chosen freeholders of any county to acquire lands for the purpose of laying out, widening, changing the location of or straightening any road improved or to be improved under this act all cost and expense of obtaining and acquiring such land by whatsoever method the same may be acquired may be paid out of any moneys applicable for road improvement purposes, or, if there be no money on hand for such purpose, said board may borrow the necessary sum or sums on temporary loans, upon the credit of the county, until the next annual taxes shall be levied and collected or such sum as may be necessary may be raised by an issue of bonds, either separately or in connection with and as part of any other bond issue under the provisions of this act. The said board of chosen freeholders is hereby authorized to agree with the owner or owners of any lands required for the foregoing purposes, as to the compensation to be paid by said board for a conveyance of said land or lands, and in case said board cannot agree with the owner or owners of any land for the acquisition of the same for the foregoing purposes said board shall have the power to acquire said lands by condemnation, in the manner prescribed by law, and the said board is also authorized to vacate any part of any public highway that may be rendered unnecessary for public travel by the widening, straightening, altering or changing of location thereof.

If necessary may borrow.

Land acquired by consent or condemnation.

Highway may be vacated.

Improvement by individual property holder.

14. If all the owners of property abutting on any road or highway, in any county, which has not been improved, or is not undergoing improvement, desire

said road, or any section thereof, to be improved, and shall certify, in writing, to the board of chosen freeholders, that they are willing to bear the entire expense of such improvement, the county engineer, or other competent engineer, shall prepare plans, cross-sections and specifications for the work to be done on such road, or any section thereof, so to be improved, and shall submit the same to the owners, and if satisfactory to such owners, they are hereby authorized to enter into contract for such work, said contract to be first submitted to the board of chosen freeholders for its approval. Upon the completion of the work to the satisfaction of the county supervisor and the board of freeholders, and upon the submission to said board of proper receipts showing full payment for all work done, the said board of chosen freeholders may, by resolution, declare that said road, or any portion thereof, be thereafter a county road. The location of any portion of said road may be changed, if deemed desirable, upon acquiring the consent, in writing, of the owner or owners of land abutting on such portion of road so to be changed, and upon acquiring, without expense to the county, the land necessary for such change. The county supervisor shall be paid the sum of twenty-five dollars for supervising said work, to be paid by said owners.

Such road, if accepted, deemed county road.

Change of location.

Supervisor's fee.

15. The board of chosen freeholders shall have full power to lay out, open, construct and improve, when such contemplated work is shown on the approved plans and cross-sections, all necessary approaches to any properties along the line of such road which may have been destroyed or damaged by any alteration in the existing grade, whether within or without the line of such road, and all costs and expenses incurred therefor shall be paid by the said board of chosen freeholders in the same way and manner as other work done under this act is paid for.

Approaches to properties.

16. Whenever any public road is sought to be improved under the provisions of the fourteenth section of this act, upon which road any lands or real estate owned by the State of New Jersey may front or border,

Road improvement along State property.

the board of managers, or other body having the control and management of said lands and real estate, are hereby authorized to consent to the improvement of said road and to enter into contract for the same in the manner directed by said section, and to pay for said improvement out of any moneys appropriated to said board of managers or other governing body.

Right to close road temporarily.

17. Whenever it shall be deemed necessary by the State Commission of Public Roads to close a road or section thereof which is being constructed, improved or repaired under this act, in order to permit a proper completion of such work, he shall execute a certificate and file the same with the clerk of the board of chosen freeholders of the county in which such road is situated. Such certificate shall state the necessity for closing such road and describe the portion thereof to be closed; not more than one mile of any road shall be closed at any one time. The board of chosen freeholders shall thereupon close the same to public travel by erecting suitable obstruction and posting conspicuous notice to the effect that the road is closed.

Joint improvement by counties.

18. It shall be lawful for the boards of chosen freeholders of two or more counties to agree, by resolutions passed separately in each board, to improve, under the provisions of this act, a road, in whole or in part, which is on the dividing line or runs into or through such counties.

Plans, etc.

In such case they shall make all necessary surveys and prepare proper plans, cross-sections and specifications, which, on approval by resolution passed separately by each board, shall be certified to the State Commissioner of Public Roads for action thereon. If approved by said commissioner, each board is authorized

Joint committee.

to appoint members thereof to serve as a joint committee to advertise for and receive bids, as specified in this act, for said improvement. The bids shall be

Bids received and contract awarded.

opened and read in public meeting and thereafter the members of the joint committee shall report the amount of the bids with recommendations to their respective boards. The contract shall be awarded, by resolution of each board voting separately, to the lowest respon-

sible bidder, and shall be approved or rejected, as provided in this act, by the State Commissioner of Public Roads. As nearly as may be possible, all proceedings concerning the improvement under this section, shall conform to those prescribed in this act.

Proportional share of cost stated.

The contract awarded shall specify the proportion which each county shall bear of the cost of the improvement exclusive of the State's share, and each county shall be liable for that amount alone.

Part received by each county.

Of the share of the cost of the improvement paid by the State, each county shall receive such proportionate part as it bears of the cost of the improvement to the counties and in the manner as specified for payment to a county for road improvement within its own territory; *provided, however,* that if, in the judgment of any of the boards, parties to said agreement, the burden of the cost of improvement aforesaid is too great to incorporate in the annual tax levy for any one year in that county, then such board, by a resolution adopted by a vote of at least two-thirds of its members, may raise the sum necessary for the payment of its share of the cost by an issue and sale of bonds.

Proviso.

Extent of act; cities excepted.

19. The provisions of this act shall extend to townships, towns, boroughs, villages, or any municipality or municipalities except cities, and no road shall be built within any city under this act. The common council or other governing body, the assessor or assessors, the mayor or other chief executive officer, the clerk and collector, or other financial officer, respectively, of any township, town, borough, village, or other municipality, shall have the power and shall perform all the duties as are in this act cast upon the board of chosen freeholders, the county board of taxation, the director of the board of chosen freeholders, the county clerk and county collector, respectively. Any of said municipalities may raise, by taxation, funds with which to pay for the cost of the construction of any road or roads, or may issue bonds for the payment of the same, in the same manner, as nearly as may be, as the board of chosen freeholders may do under this act, it being the expressed intention of this section to confer upon town-

Powers and duties of local officials.

Provision for funds.

ships, towns, boroughs, villages or other municipalities, full power to improve any road, or section of road, under the provisions of this act, all proceedings conforming, as nearly as may be practicable, to the provisions of this act. Any such road, or section of road, so constructed by any township, town, borough, village, or other municipality, other than by the county, shall be exclusively under the jurisdiction and control of such township, town, borough, village, or other municipality, and shall be repaired and maintained by such municipality.

Control of roads so built.

Road in city.

20. Whenever any road, or section of road, constructed by the board of chosen freeholders, shall lie within the corporate limits of any city, said road shall be exclusively under the jurisdiction and control of such city, and shall be repaired and maintained by the same; *provided, however*, that this provision shall not extend to roads now maintained under the act entitled "A supplement to an act entitled 'An act to authorize the board of chosen freeholders of any of the several counties in this State to lay out, open, construct. improve and maintain a public road therein,'" approved seventh, one thousand eight hundred and eighty-eight, approved March twenty-fourth, one thousand eight hundred and ninety-eight.

Proviso.

Agreement binding.

21. A resolution passed by the township committee of any township, or the governing body of any other municipality, through which said road runs, to pay ten per centum of the cost of said improvement provided for in the first section of this act, shall be binding upon such township, or such other municipality, as the case may be.

Bonds may be issued.

22. Whenever any township or other municipality shall have undertaken to pay ten per centum of the cost of any improvement under the provisions of this act, 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.

Sidewalks made to conform to grade.

23. Whenever any public road has been or shall hereafter be improved under the provisions of this act and in the course of improving such road the grade of the roadbed shall have been or shall be changed so that it shall not conform to the grade of the remaining portion of the road, including the sidewalks, it shall be lawful for the municipal authorities of each municipality through which such road passes to cause the remaining portion of such road within the limits of their several municipalities to be graded and formed so as to conform in grade to that established for the roadway constructed under the provisions of this act and to cause such work to be done under the same proceedings and in the same manner as may be provided by law in their several municipalities for the grading of the streets of such municipalities.

Municipal improvements.

The proper municipal authorities of any municipality through which any such road may run shall have full power and authority to make any municipal improvement upon or within any such road within the limits of their several municipalities which may be authorized by law to be made in any of the other public streets or roads of such municipalities; *provided, however,* no such improvement shall be made by such municipal authorities which may in any way interfere with or impair the roadway improved under the provisions of this act without the approval and consent of the board of chosen freeholders of the county within which such road may be located.

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Property assessed for benefits.

The cost and expense of any of the public improvements authorized by this section shall, so far as the same can be, be assessed upon the lands and real estate specially benefited by the improvement in proportion to the benefit received; and no lot or parcel of land shall

be assessed more than it is so specially benefited, and such assessment shall be made in the same manner and under the same procedure as is directed by law for the making of other assessments for street improvements within every such municipality.

Act how construed.

Nothing in this act contained shall be construed in any way to impose upon any such municipality therein referred to any part of the cost of the maintenance and repair of the roadway of any road improved under the provisions of this act.

Petition to pave improved road.

24. Whenever the owners of fifty-one per centum of the frontage of property abutting any road proposed to be improved under this act by any board of chosen freeholders shall petition the governing body in which their lands and the said road or section of road shall lie, praying that said road or section of road be improved and paved for its entire width, from gutter to gutter, and agreeing to pay the entire added cost due to said increased width of improvement and pavement, it shall be lawful for said governing body, by and with the consent of the State Commissioner of Public Roads, to enter into a contract with the said board of chosen freeholders to pay such additional cost, which contract shall fix and prescribe the times and manner of payment by said municipality to said board of chosen freeholders of such added cost.

Agreement to pay cost.

Assessment and collection.

Such cost and expense so contracted to be paid by the municipality shall be assessed and collected by said municipality upon and from the lands abutting upon said road or section of road so improved in the same manner as other assessments for benefits for improvements are authorized to be assessed and collected in such municipality.

If municipality undertakes improvement.

If the improvement contemplated is being undertaken by municipal instead of county authority such extended improvement shall be authorized by the petition herein provided for, the consent of the municipal authorities of such municipality and the consent of the State Commissioner of Public Roads and the said additional cost shall be assessed and collected as herein provided.

Name of bonds.

25. All bonds authorized to be issued by this act by the board of chosen freeholders, or any municipality, shall be known as "Road Improvement Bonds".

Rate.

Such bonds shall be of such denomination, bear such rate of interest, not exceeding five per centum (5%) per annum, and be payable at such places and such times, not exceeding thirty years from their date (except bonds issued to provide funds for extraordinary repairs or reconstruction which shall be payable in not exceeding five years from their date) and be in such form as the board of chosen freeholders or governing body of any municipality issuing such bonds shall by resolution determine.

Time.

Details of bond issue.

Said bonds shall be signed by the director and clerk of the board of chosen freeholders of the county, sealed with the seal of such board and countersigned by the county collector of the county, and in the case of a municipality other than a county shall be signed by the mayor, or chief executive officer, or the chairman or presiding officer of the governing body thereof, and by the clerk thereof, and sealed with the seal of said municipality, and countersigned by the chief financial officer thereof. The said bonds may be either coupon or registered, or coupon bonds with the privilege of registration as to principal only, and of conversion into bonds registered as to both principal and interest, and the faith and credit of the county or municipality issuing them, shall be pledged for their payment. Such bonds shall recite that they are issued pursuant to the authority of this act and of the resolution authorizing the issuance thereof, which shall be conclusive evidence of their validity, and of the regularity of their issuance.

Provision for interest and maturity.

There shall be raised by taxation annually after the issuance of any such bonds a sum sufficient to meet and pay the interest thereon, as the same accrues, and a sum to be paid into a sinking fund which will, together with the accumulations thereof, provide a fund sufficient to meet and pay the principal of said bonds at maturity; *provided, however,* that if such bonds be so issued that they are payable in annual installments sub-

Proviso.

stantially equal in amount, the first of which installments shall be payable in two years from the date of such bonds and the last installment to be payable within thirty years from such date, the board or body authorizing such bonds, in lieu of providing for a sinking fund to meet the principal of said bonds shall cause to be raised by taxation in each year in which an installment of principal shall be payable an amount sufficient to meet the said installment, in addition to the annual tax during the life of the bonds to provide for the payment of the interest accruing thereon.

Use of funds received from registration of motor vehicles.

26. In order to enable the Commissioner of Public Roads to execute the provisions of section thirty-seven of an act of the Legislature of this State 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, said commissioner is hereby authorized to issue to the public body charged with the maintenance of any improved roads, his certificate setting forth the amount set aside by him for the repairs of such road from moneys under his control available for road repairs. On receipt of suitable certificate from the proper officer that said road has been repaired, said commissioner is authorized to approve said certificate for payment, and its amount shall then be paid as provided by section eight of this act; or, said commissioner may advertise for sealed proposals for the repair of any such road and award a contract to the lowest responsible bidder, reserving to himself, however, the right to reject any and all bids.

Payment on receipt of proper certificate.

Unusual repairs or reconstruction.

27. Whenever any improved public road in this State is in need of extraordinary repairs or reconstruction, the public body charged with its care shall prepare specifications and any plans and cross-sections necessary to explain and describe the repairs contemplated and for-

ward the same to the State Commissioner of Public Roads. The said commissioner is authorized, in his discretion, to approve of such specifications, plans and cross-sections, and to certify what amount of State moneys he will set aside for the repair of such roads. On his approval and issue of certificate as this act provides said public body shall advertise for bids and otherwise proceed as this act directs.

Bonds may be issued.

If such public body shall not have sufficient funds wherewith to pay its share of the cost of such repairs, then it shall be lawful for said public body to issue bonds 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.

Authorities may acquire quarries, gravel pits, etc.

28. It shall be lawful for boards of chosen freeholders, or other governing body charged with the construction, maintenance and repair of roads to acquire lands for gravel pits, stone quarries, or other natural deposits of road building materials advantageously located for use in their jurisdiction and to pay for the same from funds available for the construction, maintenance and repair of roads.

As to trees; their location and treatment.

29. When a road plan involving the treatment of trees or forests is to be made the State Commissioner of Public Roads shall notify the State Board of Forest Park Reservation Commissioners, which shall cause to be prepared such plans and specifications as shall be necessary for the completion of said treatment, the cost of which shall be taken as part of the cost of the road.

What authority to determine.

In all that relates to the choice, planting, or care of trees, the decision of the Forest Park Reservation Commission shall be final. In all that affects the location of trees, or their influence upon the road, the decision of the State Commissioner of Public Roads shall be final. If the State Commissioner of Public Roads and a local governing body having authority in respect to roadside trees shall be unable to agree regarding the removal or treatment of any tree standing within the line of any road to be improved, according to this act, the two interests shall submit the case to the Forest Park Reser-

vation Commission, and its decision shall be final and binding upon all parties.

Constitutionality of sections.

30. In case, for any reason, any section or sections of this act shall be questioned in any court and shall be held to be invalid or unconstitutional, no other section or sections or part hereof shall be affected thereby.

Repealer.

31. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed; *provided,* that this repealer shall not revive any act heretofore repealed, nor shall any proceeding for the improvement of any public road entered into before the passage of this act abate, but such proceedings shall continue as prescribed in the act under which the improvement was commenced or may be proceeded with under the provisions of this act.

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32. This act shall take effect immediately.

Approved April 15, 1912.

CHAPTER 396.

An Act to establish a State system of highways, providing for their construction, improvement, maintenance, repair, and regulation of the use thereof and for a road fund and its disbursement in lawful expenditures appertaining to roads.

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

System of roads.

1. The State Highway Commission is hereby authorized and directed to establish what shall be known as the State Highway System; a comprehensive scheme of roads, improved or unimproved, and of routes for roads unbuilt, which shall be ultimately a continuous or intercommunicating system of improved State highways throughout the State.

What scheme to include.

2. It is the intent of this act that the State Highway System shall include: such roads, highways, turnpikes

or toll roads as may be later acquired, or any parts or portions thereof, as now are or will form, main-traveled roads of reasonably direct route between the county seats of the several counties of the State; existing improved highways being chief lines of travel between seaside resorts and large centers of population; important roads affording outlets at the boundaries of the State or which, in the judgment of the commission, by the character and amount of travel upon them are in repair and maintenance costs an inequitable burden upon local districts and fall properly in the State Highway System, the Ocean Highway and the Delaware River Drive.

Plans of proposed system.

3. The State Commissioner of Public Roads is hereby directed to have prepared and submit to the State Highway Commission a map or plan of the State showing a proposed State Highway System, together with necessary explanatory report upon its scope and merit. Such plan shall distinguish by suitable legend upon it between county, township or other road, whether improved or unimproved with the mileage of each, the character of its construction or improvement and the location and character (as fixed or movable, of wood, steel, concrete-arch, etc.), of its principal bridges. It shall include in the proposed system such roads as are specifically mentioned in this act by name or by location between definitely named places, together with such others as the said commissioner may direct.

Distinguishing features.

Matters to be considered in taking over road.

4. In taking over any road as a State highway, selection by the State Highway Commission shall be guided by the character and amount of travel thereon, its consequent relative importance in the system and with due regard to the mileage of roads heretofore improved in each county and to the burden of maintenance and repair costs therein which it is the intent of this act to relieve. On such basis the distribution of the benefits of this act among the several counties of the State shall be made as equitably as the funds available and circumstances will permit.

Adoption of system.

5. With such modification of the said mapped system as they may elect within the intent of this act, the State Highway Commission shall adopt the same as the State Highway System.

Altering system.

Within the same restrictions the commission may, from time to time, add to the system, and amend or change the same on account of difficulty or excessive cost of construction or maintenance or for other adequate unforeseen contingency; *provided, however,* that the aggregate mileage of the system shall not exceed fifteen hundred (1,500) miles.

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Roads taken over by commissioner.

6. When in their discretion circumstances will permit, the State Highway Commission shall have the State Commissioner of Public Roads take over from the governing body having jurisdiction thereof, and with its assent, any highway, or portion thereof, improved or unimproved, which is included in the Highway System. When so taken over it shall become and be known as a State Highway, and its further improvement, maintenance and repair shall be at the expense of the State and under the jurisdiction of the State Department of Public Roads; *provided, however,* that whenever the governing body or other jurisdiction from which said road is taken over, has rights or benefits by virtue of an understanding, agreement or contract with any street railway company, other company, firm or corporation, to repair, maintain or construct any part of such highway, or to deliver or execute any other service or obligation with respect thereto, the said undertaking shall remain in force and all such contractual or agreement rights and benefits shall pass to and be taken over for the State by the State Department of Public Roads. All the terms, conditions and requirements of such agreements or contracts shall be fulfilled to the State by said street railway company, other company, firm or corporation, in the same manner as if they had been originally made between the State and said companies, firm or corporation.

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Fulfillment of obligations.

Notice of intent to assume care of road.

7. The State Commissioner of Public Roads shall give to the body having jurisdiction over any highway written and ample notice of intention to take over such

highway with the date when the State will assume its care and maintenance. If at the date of said notice such body has executed any contract for the improvement of such highway, the further operation of this act with respect thereto shall be suspended until the completion of such improvement. At such time it shall become a State highway.

Reversion of abandoned road.

8. Whenever a State highway, or any portion thereof, is eliminated from the State Highway System by resolution of the State Highway Commission, the status of such highway shall revert to that existing prior to the passage of this act and its repair and maintenance to the governing body or bodies within which it lies.

Commissioner of roads to take charge.

9. The State Commissioner of Public Roads is hereby directed to take charge of the construction, improvement, maintenance and repair of State highways, maintain the same in good order and, under the provisions of this act, to promote the extension and improvement of the State Highway System whenever opportunity and conditions permit.

Work done by State.

All such work shall be done at the expense of the State, and in accordance with plans and specifications prepared by the State Department of Public Roads and under the direction and supervision of the said commissioner.

Title of officers.

10. For purposes of administration (and because of the character of their duties and the possible division of the State Highway System into districts), the present State Supervisor of Roads shall be known as the State Highway Engineer and the present assistant State supervisors as division highway engineers.

Acting commissioner.

When, through absence or disability, the State Commissioner of Public Roads is unable to perform the duties and exercise the powers of such office, the State Highway Engineer (present State Supervisor), shall perform and exercise such duties and powers.

Additional engineers.

11. In addition to the above officials, now authorized by law, the State Commissioner of Public Roads is empowered, when the need (confirmed by the State Highway Commission) arises, to employ at the compensation

Assistants.

fixed by law, not more than two additional division highway engineers (competent engineers, one of whom shall have had experience in the design and construction of bridges). He may employ also such draughtsmen, clerical or office help, foremen, laborers and such temporary or permanent resident engineers as shall be needed for the efficient and economical administration and execution of the powers and duties of the State Department of Public Roads. The said resident engineers shall be, whenever practicable and consistent with efficiency, the county engineers of the several counties of the State, and said offices shall not be deemed incompatible. For this purpose the State Commissioner of Public Roads and board of chosen freeholders of any county shall make a written agreement, to be approved by the State Highway Commission, defining the service and duties of said engineer, fixing his compensation and the relative parts of same to be paid by the county and the State and such service may be per year, or part or parts thereof, as need may require; *provided, however,* that the joint compensation by State and county to said engineer shall be in no case less than that received by him as said county engineer, and the time and manner of the payment of this compensation shall be as nearly as possible that now in force; *provided, however,* that said agreement may be terminated by adequate notice in writing by either party and in case of its lapse, for this or any cause, the status of said engineer with reference to the county employing him shall revert, in all respects, to that existing prior to the passage of this act.

County engineers appointed when proper.

Agreement made with engineer.

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Rules and regulations formulated by commissioner.

12. The State Commissioner of Public Roads is hereby authorized and empowered to formulate and adopt such rules and regulations and prescribe such duties, for the conduct of the business, work and general administration of the State Department of Public Roads, its officers and employes, as are not expressly provided by this act nor by existing law, and are not inconsistent with the intent or spirit thereof. Except where otherwise provided by this act, or other existing law, all employes and appointees of the said department, for cause and after hearing, shall be subject to removal

Tenure of subordinates.

or discharge by the commissioner. He may purchase such materials and equipment as shall be necessary for the competent, efficient and economical administration of the State Department of Public Roads.

Maximum load, height, and width of vehicles.

13. No person shall drive on any State highway any vehicle weighing, with its load, more than thirty thousand (30,000) pounds, nor more than twelve feet in height from the lower rim of the wheel to the highest point of the vehicle or its load, nor more than nine feet in width over any part of the vehicle or its load.

Tires of motor vehicles.

When used on a State highway, no motor vehicle tire shall be fitted with any blocks, hobs, studs or other projections, and no wheels shall be locked so as not to revolve.

No injurious materials allowed.

No person shall place or allow to fall on any State highway any broken glass, pottery or sharp object, nor any substance injurious to the surface of the road or to person, health or property of parties using the same, or residing along the line thereof.

Property along road protected.

No person shall in any way interfere with or injure any road-sign, tree, handrail, wall, bridge, culvert or other public property within the lines of any State highway.

Penalty.

Any person, firm, company or corporation violating any of the above provisions in any manner or method, or who wilfully damages, injures or destroys any such highway or its appurtenances shall be liable to a fine of not less than ten dollars ($10) nor more than twenty dollars ($20) for each and every offense together with the costs of prosecution, to be recovered by an action in debt in the name of the State, before any court of competent jurisdiction by the State Department of Public Roads; said fines shall be paid into the State treasury to the credit of the funds available for construction, maintenance and repair of roads.

Consent to use road must be secured.

14. Hereafter no consent, grant or franchise affecting any portion of a State highway, or of any road included in the State Highway System, shall be given for the construction of a railroad or street railway thereon except upon approval of and under conditions acceptable to the State Highway Commission; nor shall any person, firm, company or corporation enter upon or

construct any works in or upon any State highway, except under such conditions and regulations, approved by the commission, as the State Commissioner of Public Roads may prescribe. Whenever any encroachment may exist without warrant of law in any road when taken over as a State highway, the State Commissioner of Public Roads shall notify the Attorney-General, who shall proceed to cause the same to be removed as by law provided.

Removal of encroachments.

Penalty.

Any person, firm, company or corporation guilty of any violation of this section shall be liable to a fine not exceeding one hundred dollars ($100) for each such day's violation, and the costs of prosecution to be recovered by an action in debt in the name of the State before any court of competent jurisdiction by the State Department of Public Roads. Said fines shall be paid to the State Treasury to the credit of the funds available for construction, maintenance and repair of roads.

Violation a trespass.

Any such violation may be removed from any State highway as a trespass by a bill or petition filed by the State Commissioner of Public Roads in the Court of Chancery.

Any privileges granted subject to certain restrictions.

15. For any road in the State Highway System prior to its taking over as a State highway, as provided by this act, no consent, grant or franchise for the laying in or upon it of any railroad or street railway crossing, gas pipe, water pipe, electric conduits, or other piping, telegraph, telephone, electric light or power poles, shall be given except under such restrictions, regulations and conditions as are approved and officially made known by the State Commissioner of Public Roads to the body with authority to issue such privilege. No issue of such consent, grant or franchise by any public body, except as hereinafter provided, shall operate as a waiver of liability in favor of the person, firm, company or corporation laying or erecting such works in or upon such highway or any portion thereof. Any violators of this provision shall be liable to a fine not in excess of fifty dollars for each day's violation and the costs of prosecution, recoverable by the county or township and payable to the county or township collector to the credit

Liability not waived.

Penalty.

of the appropriation for the construction, maintenance and repair of roads.

Cities not included in system.

16. No State highway shall extend into or through any city nor shall anything herein contained, or the classification of the State Highway System into districts, be construed as including or in any manner interfering with the roads, streets and highways in any of the cities, boroughs or incorporated towns of the State; *provided, however,* that where a street or series of streets, approved by the State Commissioner of Public Roads, serve through such municipality as connecting State highways or as outlets to such at the boundary of the State, and are maintained under condition stipulated by said commissioner, he may by written agreement with the governing body of said municipality provide for the State's bearing a just proportion, approved by the State Highway Commission, of the cost of maintenance of said streets, and said commissioner may terminate such agreement for adequate cause.

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Taking over certain roads.

17. Whenever an unimproved road, or an improved road in need of extensive repairs, included in the State Highway System but not yet taken over is constructed, reconstructed or reimproved, with or without State aid, such road on the completion of the work to the approval of the State Commissioner of Public Roads, shall be taken over as a State highway.

Sharing cost with freeholders.

18. Whenever in the discretion of the said commissioner it is desirable to have constructed, reconstructed or improved by the State, any built or unbuilt portion of the State Highway System, it shall be lawful for such commissioner for the State to enter into written agreement, to be approved by the State Highway Commission, with the boards of chosen freeholders, or other body of competent jurisdiction and power, to equitably share the cost. On completion of the work, said portion of the system to become a State highway.

Proposition assumed by State.

19. For the purpose of extension, construction, improvement, maintenance, repair or straightening of the State highways, it shall be lawful for the State Commissioner of Public Roads, with the assent and approval by the State Highway Commission of its terms and conditions, to enter into written agreement with any board

of chosen freeholders, or other public body, or any person or corporation, for co-operation on an equitable basis of share in cost of such work, and to assume any portion, not exceeding sixty per centum of that cost. Such board or public body may raise their proportionate share of such cost in accord with the provisions of any law providing for State aid in road improvement or maintenance. Upon approval by the said commissioner of the certificate of the inspector and engineer in charge of the work that the same has been satisfactorily completed in whole or in part, according to contract, plans and specifications, the disbursing officer of said board or body shall pay its share of the whole or partial cost to the State Treasurer to the credit of funds available for road improvement, maintenance and repair.

How amount raised.

Payment to State Treasurer.

Right to acquire necessary materials.

The said commissioner for the above purposes and with the approval as aforesaid of the State Highway Commission may enter into a contract with any person, company, firm or corporation, public or private, for the acquisition of any necessary lands, or of gravel pits or other natural deposits of road materials advantageously located to the State highways, and may take title in the name of the State. Any public body may raise its agreed proportionate share of such cost as hereinbefore provided.

Additional powers conferred on commissioner.

20. In the construction, repairs and maintenance of State highways the said commissioner shall possess and exercise in addition to those conferred by this act, all those rights and powers, not incompatible with his office nor prohibited by law, which are now exercised by overseers of roads and boards of chosen freeholders in road construction, repair and maintenance and, when authorized by resolution of the State Highway Commission, in the acquisition of turnpikes and toll roads.

Not to build bridges, trestles.

21. Nothing in this act shall be construed as authorizing the State Department of Public Roads to construct or enter into contracts or agreements for the furnishing, building or rebuilding of bridges, trestles or equivalent structural work, over navigable waters or streams, nor for bridges, or equivalent structures and culverts, generally; *provided, however*, that where the State Commissioner of Public Roads deems the cost of

Proviso.

such building, rebuilding or betterment of such structure, according to plans and specifications he approves, as too great a burden for the public body responsible for its care, he may, with approval by the State Highway Commission of terms and conditions, enter into agreement with such responsible public body providing for the State's bearing a portion of such costs, but in no case in excess of twenty per centum of that cost.

Work done by contract.

22. All work of construction or building of unimproved roads and of extensive repairs to improved roads, taken over as State highways shall be by contract.

Plans and specifications.

The State Commissioner of Public Roads shall have made a proper survey of the road and have prepared the necessary plans and specifications showing and describing the work to be done and the materials to be supplied and also make estimate of the cost of the construction and improvement in accordance therewith.

Proposals invited.

He shall advertise for bids on the work and materials covered by the plans and specifications, and may divide the same into several contracts, but all bids for the whole or subdivided shall be submitted at the one time. Such advertisement shall be by public notice published for at least three weeks before the contract may be awarded. at least once a week in each of two newspapers printed in the county or counties where such road is located, in one other in Trenton, and may be inserted in an American engineering periodical. The advertisements shall give a brief description of work and materials required, specify where plans and specifications can be seen or had, the hour, date and place where the sealed proposals will be received and publicly opened and read, and other pertinent information the commissioner may include.

Advertisement.

Rejection of bids.

The commissioner may reject any bid not in accord with the advertisement or specification, or for other irregularity, or may reject any or all bids if the prices for work or materials is excessively above the estimated cost. He shall prepare a list of the bids, including any rejected and the cause therefor, and award the contract to the lowest responsible bidder, subject, however, to its ratification by the State Highway Commission, to whom

Award.

it shall be submitted, together with the summary of bids, within fifteen days from the date of the award. The award shall be final on written approval of a majority of said commission given separately or in session, or whenever empowered so to do by their resolution, by approval of its presiding officer when other than the said commissioner, and then further endorsed by the State Treasurer.

Guarantee to accompany bid.

A certified check equal to at least ten per centum of the bid must accompany the same drawn to the order of the State Treasurer, and shall be held as security that if awarded the contract, the bidder will deliver the same, within ten days from the ratification of the award, properly signed and secured by a bond as hereinafter set forth. In case of the bidder's failure so to do, said check shall be forfeited to the State as liquidated damages, and shall be applied to funds available for the construction, improvement and maintenance of roads.

Partial payments on account.

Contracts may provide for partial payments on work of construction or maintenance, but not in excess of eighty per centum of the value of the work done.

Deferred work.

Where, however, the contract provides that a portion of the work may be deferred with the approval of the State Commissioner of Public Roads, the sum withheld from the contractor may be not less than twenty-five per centum in excess of the value of such deferred work.

State road fund.

23. The funds provided to meet lawful expenditures appertaining to roads, as required under this act or any other law, shall constitute a State Road Fund. It shall include the appropriations made therefor by the Legislature, the receipts from motor vehicle licenses, and from fines for violations of this act and of chapter 113, laws of 1906, its amendments and supplements, as therein provided.

Authorized expenditures.

24. Expenditures from this fund shall be: For the extension, construction, maintenance and repair of State highways; for State aid to counties and municipalities, as provided by law, in the permanent improvement of roads, in acquisition of turnpikes or toll roads, in maintenance and repair of improved roads and in bridge and culvert work; for the maintenance and ad-

ministration of the State Department of Public Roads, the salaries or wages of its lawful officers, clerical, office help and employes, the traveling expenses of such actually and necessarily incurred while in discharge of their official duties, and such other reasonable and proper expenses itemized and reported to the department, incurred while actually on the business of the State, as the State Commissioner of Public Roads shall direct and approve.

Discretionary payments.

25. In so far as the appropriation act, or other law, does not provide for any of the above specific purposes, the State Commissioner of Public Roads shall determine the amounts, subject to approval of the State Highway Commission, which shall be apportioned to State highways and for State aid, and said commissioner shall decide within lawful discretion the sums to be apportioned for other purposes. Nothing herein shall authorize a change in any compensation fixed by law.

How payments made

26. Payments for State aid in improvement or maintenance of roads, or in other authorized grant, and for salaries, wages, expenses of administration or other lawful expenditure shall be made as provided by law.

Payments on contracts.

Payments on lawful contracts entered into by the State Commissioner of Public Roads for construction, maintenance and repair of roads or other allied authorized work, shall be made upon the said commissioner's approval for payment of the certificate of the engineer and inspector in charge of the work. Such certificate shall set forth the amount then due under the contract, and that the work done, service performed and materials furnished fully comply with the terms and requirements of the contract, plans and specifications.

Annual report to Comptroller.

27. At the end of each fiscal year the State Commissioner of Public Roads shall make to the State Comptroller a full financial report showing the available unexpended balances in the several accounts before cited, also all outstanding liabilities, under contracts or other financial obligations to counties, municipalities, person, firm or corporation.

Constitutionality of sections.

28. In case for any reason any section or sections of this act shall be questioned in any court, and shall be held to be invalid or unconstitutional, no other section or sections, or part hereof, shall be affected thereby.

Repealer.

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

Approved April 15, 1912.

CHAPTER 397.

An Act to further amend an act entitled "An act giving the State Commissioner of Public Roads a fixed salary, instead of per diem pay, and limiting the expenses connected with the office," approved March twenty-fifth, one thousand eight hundred and ninety-six, and all amendments thereto.

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

Section 1 amended.

1. The first section of said act shall be amended to read as follows:

Salary and allowance to commissioner.

1. The annual salary of the State Commissioner of Public Roads shall be five thousand dollars, and he shall be allowed a sum not to exceed seventeen thousand dollars per year, or so much thereof as shall be necessary for clerk hire, wages of assistants not provided for in this act, stationery, postage, expressage, and such expenses of all officers and employees of the department as are actually and necessarily incurred in the performance of their official duties.

Section 2 amended.

2. The second section of said act shall be amended to read as follows:

Engineer and assistants; allowance for salaries.

2. He shall be allowed the sum of four thousand dollars per year for the employment of the supervisor appointed under chapter 155, laws of 1900, who shall be known as the State Highway Engineer and who

shall be a competent civil engineer, and a further sum not to exceed seven thousand two hundred dollars per year for salaries of not to exceed four assistants to said supervisor, who shall be competent engineers and who shall be known as Division Highway Engineers. The Assistant Supervisors of Roads, appointed under chapter 236, laws of 1909, shall become two of said Division Highway Engineers. One of such staff shall have had experience in bridge design and construction.

Acting commissioner.

In the absence or disability of the said commissioner the said State Highway Engineer shall exercise all the powers and fulfill all the duties of said commissioner.

Surety of commissioner.

3. Upon the passage of this act, and thereafter before entering upon the discharge of his duties, the State Commissioner of Public Roads shall give bond in the sum of twenty thousand dollars conditioned for the faithful performance of his duties. Such bond shall be with two or more sureties, freeholders of this State, or a surety or trust company of this State, or a surety or trust company of another State authorized to do business in this State, said bond with sureties to be approved by the Governor, he shall also take oath of office before one of the justices of the Supreme Court similar to that now required of the State Comptroller, which bond and oath of office shall be filed in the Department of State.

Bond of engineer.

The State Supervisor—State Highway Engineer—shall qualify in like manner with bond and sureties in the sum of five thousand dollars.

Repealer.

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

Approved April 15, 1912.

CHAPTER 398.

A Further Supplement to an act entitled "An act constituting and appointing 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:*

Treasurer a member of commission.

1. There shall be added to the State Highway Commission, as an additional member thereof, the State Treasurer.

Duties of commission.

2. It is hereby made the further duty of the said commission to establish a State highway system and otherwise to carry into effect the provisions of an act entitled "An act to establish a State system of highways, providing for their construction, improvement, maintenance, repair and regulation of the use thereof, and for a road fund and its disbursement in lawful expenditures appertaining to roads."

Repealer.

3. All acts and parts of acts inconsistent with this act are hereby repealed.

4. This act shall take effect immediately.

Approved April 15, 1912.

CHAPTER 399.

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

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

Section 1 amended.

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

Section 97 amended.

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

Issuance of bonds.

97. The legal voters of any township, incorporated town or borough school district may, either at the annual meeting of said district or at a special meeting thereof called for that purpose, by the vote of a majority of the legal ballots cast, authorize the board of education to issue bonds of the district for the purpose of purchasing or taking and condemning land for school purposes, or building a school-house or school-houses, or making additions, alterations, repairs or improvements in or upon any school-house and the lands upon which the same shall be located, and of purchasing school furniture and other necessary equipment. Such bonds shall be issued in the corporate name of the district, for such sums and in such amounts and shall be made payable in not more than thirty years from the date thereof, as directed by a majority of the legal ballots cast, with interest at a rate not exceeding six per centum per annum, payable half-yearly. Said bonds may be fully registered, registered as to prin-

Purposes.

Time.

Rate.

Description.

cipal or coupon bonds (or may be registered and coupon bonds combined), and shall be signed by the president of the board of education and attested by the district clerk, shall bear the seal of the district, and if registered as to principal only or coupon bonds they shall have coupons attached for current payment of interest, which coupons shall be signed by the district clerk and shall be numbered to correspond to the several bonds to which they shall be severally attached. Bonds so issued shall be numbered and a proper registry thereof shall be kept by the district clerk. *Provided,* that the total amount of bonds for the purposes named in this section, including bonds theretofore issued for such purposes, and not redeemed, shall not exceed at any one time the sum equal to three per centum of the taxable valuation of the real and personal property in such district. Such bonds may be sold at public or private sale for the best obtainable price, but not less than par.

Proviso.

Act not to apply to prior issues.

Nothing in this act shall be construed to apply to any bonds authorized to be issued by the legal voters of any school district prior to the passage or approval of this act or the act of which this act is amendatory.

2. This act shall take effect immediately.

Approved April 15, 1912.

CHAPTER 400.

An Act to amend an act entitled "A supplement to an act entitled 'An act to regulate the practice of courts of law (Revision, 1903),' which supplement bears the short title of "The Practice Act (1912)," and was approved March twenty-eighth, one thousand nine hundred and twelve.

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

Section 33 amended.

1. That section thirty-three of the Practice Act (1912) be and the same is hereby amended to read as follows:

33. ACTIONS PENDING WHEN THIS ACT TAKES EFFECT.

Pending cases,

Sections twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, and thirty-two, and the rules in Schedule A under Division I, "General Rules," and under Division XII, "Appeals" (and no other sections or rules), shall apply to causes commenced before this act shall take effect; *provided*, that the sections and rules above mentioned shall not apply to any writ of error or the proceedings thereon which shall have been issued or taken before this act shall take effect.

Proviso.

Approved April 15, 1912.

CHAPTER 401.

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

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

1. Amend section five so that it shall read as follows:

Section 5 amended.

5. Candidates for office, or for nomination for office, to be filled by the voters of the state, or of any political division thereof greater than a county shall file their statements in the office of the Secretary of State. Candidates for all other offices shall file their statements in the same office in which is filed the certificate of the committee of their selection. The statement and affidavit of a committee or candidate shall, after being filed, become a public record, and open at all times to public inspection.

Where statements filed.

2. Amend section thirteen so that it shall read as follows:

Section 13 amended.

13. No money shall be spent, and no expense authorized or incurred on behalf of any candidate for nomination to any office, or on behalf of any candidate for any

Forbidden expenses.

office or party position, or on behalf of any political party or organization, for either of the following purposes:

Hiring vehicles.

(a) The hiring of any vehicle for the transportation of voters to or from the polls;

Hiring watchers.

(b) The hiring of any watchers, agents or challengers for any work on election day.

Proviso; party organizations may employ agents at polls.

Provided, that each political party or organization may employ not exceeding two persons on election day to act as challengers or agents in each polling place as now provided by law; every such challenger and agent shall on said election day wear a badge which shall show to any other person the political party or candidate for whom such challenger or agent is acting; said badges shall be furnished by the county board of elections.

Proviso; transportation of voters physically unable to go to polls at general election.

And provided further, that the chairman of the county committee or other organization of any political party which has nominated candidates to be voted for at any general election, may petition the judge of the Court of Common Pleas of said county at least fourteen days prior to the day of the general election, setting forth that certain voters described in said petition reside at a distance of at least two miles from the polling place at which, under the law, they are entitled to vote on election day, or are aged or infirm, and that said voters do not, nor does any of them, possess any vehicle or other means of transportation, from their places of residence to the said polling place, and no trolley line is available as hereinafter stated, and requesting that the said judge shall order the expenses of the transportation of the said voters on election day from their homes to their polling place and return to be paid by the board of freeholders of said county, upon vouchers as hereinafter provided.

Proviso; voluntary transportation allowed.

And provided further, that nothing in this act anywhere shall be construed to in any way limit the right of any volunteer acting without compensation to transport any voter properly registered to or from any polling place where he may be legally entitled to cast his vote.

Passed April 16, 1912.

CHAPTER 402.

An Act to amend an act entitled "An act providing for the employment of inmates of penal, correctional or reformatory institutions of this State, and creating a board for the control, regulation and supervision of the labor of such institutions, and for the disposal of the products of the labor of such inmates, approved June seventh, one thousand nine hundred and eleven."

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

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

1. From and after the passage of this act no contract whatsoever shall be made by which the labor or time of any inmate of any penal, correctional or reformatory institution of this State or of any political sub-division thereof, or the product or profit of his work, shall be let, contracted for, leased, farmed out, given or sold to any person, firm or corporation, except that the inmates in such institutions may work for, and the product of their labor may be disposed of to the State or any political sub-division thereof, or to any public institution owned, managed and under the control of the State, or any political sub-division thereof, for the purposes and according to the provision of this act; *provided, however,* that nothing herein contained shall affect any existing contract for prison labor; *and provided further,* that no existing contract for such labor shall be renewed or extended; *and provided further,* that nothing in this act shall be construed to prevent the indenture or placing of inmates of the State Home for Boys and the State Home for Girls, under rules now existing, or which may hereafter be adopted. Contract prison labor prohibited. Proviso. Proviso. Proviso.

2. Section four of the act to which this is an amendment is hereby amended to read as follows: Section 4 amended.

Commission on prison labor appointed by joint meeting of Legislature.

4. That there shall be appointed by the Legislature, in joint meeting, at the present session and every five years thereafter, six persons to be designated the Prison Labor Commission, who shall serve without compensation and

Term.

who shall hold their office for five years and until their successors are duly qualified; of the original appointments three shall be members of each of the two leading political parties of this State, and all subsequent appointments shall be so made as to maintain the same political

Duties.

status; said commission shall have general control and supervision over the employment of the inmates of all State penal, correctional or reformatory institutions, and the disposal of the products of their labor as herein pro-

Vacancies.

vided for. If any vacancy shall happen by the death, removal, resignation or refusal to act, or other disability of any of said labor commissioners appointed in joint meeting, the Governor shall appoint a person or persons to fill the vacancy, but any such appointment to fill a vacancy shall not extend beyond the next succeeding

Expenses.

session of the Legislature. The necessary expenses of the members of said commission incurred in the discharge of their duties as such shall be paid out of an appropriation made for the use of said Prison Labor Commission. The first labor commission to be appointed under this act may be appointed at any joint meeting of the Legislature during the present session thereof.

Section 6 amended.

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

Orders of commission carried out.

6. It shall be the duty of the several boards of managers, superintendents or wardens of all penal, correctional or reformatory institutions in this State to carry

Equipment.

out the orders of said commission and to provide such appliances, machinery and other facilities as may be

Articles to be made.

necessary therefor. The said boards of managers, superintendents or wardens, shall cause to be manufactured by the inmates of their several institutions such articles as are needed therein and also such as are required for the use of all State departments, institutions supported in whole or in part by the State, or what may be required for the use of political subdivisions of the State, or in the buildings, offices and public institutions owned or man-

aged and controlled by the State, including articles and materials to be used in the erection of buildings.

Section 17 amended.

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

Estimates for carrying out this act.

17. The boards of managers of said penal, correctional and reformatory institutions affected by this act shall incorporate in their annual estimates for appropriations from the State such sums as may be required by each of them for carrying out the provisions of this act, and they are hereby authorized to employ such additional officers or agents as will enable them to carry out the provisions of this act.

18. This act shall take effect immediately.

Passed April 16, 1912.

CHAPTER 403.

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

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

On application of candidate or committee court may permit statement of expenses filed.

1. Any candidate for office, or the campaign committee of such candidate, or either of them, who may have heretofore failed or neglected to file the statement and report required by the act to which this is a supplement, within the time required by said act, may apply to the judge of the Court of Common Pleas of the county in which said candidate resided at the time of the said election, for permission to file the statement and report aforesaid, and said judge shall thereupon inquire into the reasons for the failure to file such statement and report, and if it shall appear to him, by

affidavit or otherwise, that the said candidate or campaign committee of such candidate has complied with the provisions of the act to which this is a supplement, except as to the filing of such statement and report within the time required by said act, he may thereupon make an order permitting such candidate and campaign committee to file such statement and report within a time to be fixed by said order not more than ten days from the date thereof; and upon the filing of said statement and report in the office, or offices, and in the form as now provided by said act, the said candidate shall be entitled to assume the office to which he may have been elected at such election, and shall be restored to any office of profit or trust under the laws of this State which may have been forfeited by him by reason of the failure to file such statement and report within the time required by said act.

Effect of filing statement.

2. This act shall take effect immediately.

Passed April 16, 1912.

CHAPTER 404.

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.

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

Councilmen-at-large.

1. Whenever any city governed by the provisions of this act is now divided or shall hereafter be divided into an uneven number of wards, then there shall be elected two members of council at large; that in all cities which are now divided into an uneven number of wards, the present member of council at large shall hold his office until January first, one thousand nine hun-

dred and fourteen, and at the general election to be held in such cities in the year nineteen hundred and twelve there shall be elected one member of council at large, who shall hold his office for the term of two years from the first day of January, then next; in said cities there shall be elected annually one member of council at large who shall hold his office for the term of two years. Term.

2. This act shall take effect immediately.

Passed April 16, 1912.

CHAPTER 405.

An Act relating to, regulating and providing for the government of cities of the second class.

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

1. Any city of the second class in this State that may adopt the provisions of this act shall have the officers and be vested with the powers and charged with the duties herein set forth. Cities affected.

2. The corporate title of such city shall be "The city of (here inserting the name of the city in which this act shall take effect); and by such corporate title it shall be vested with all the municipal property of such city; and by such corporate name or title shall sue and be sued, purchase, lease, receive, hold and sell property, real and personal, take and condemn lands and other property for municipal purposes in the manner provided by the laws of this State and subject to the provisions of this act. Corporate name. Rights.

3. The city council of such city shall consist of two members from each ward, one to be elected annually from each ward, to serve for the term of two years. The members of city council who are now acting in such official capacity shall continue to serve for the full term Number and term of councilmen.

or terms for which they were severally elected or appointed as though they had been elected or appointed under the provisions of this act. At the first municipal election held in such city next after the adoption of the provisions of this act there shall be elected in each of the wards of such city, by the duly qualified voters in such wards, one person to be a member of city council of such city, who shall have been a citizen and resident of such city for at least three years immediately preceding his becoming a member of such council and who shall serve as such member for the term of two years and until his successor is elected and shall have been duly qualified; and at the second municipal election held in such city next after the adoption of the provisions of this act there shall be elected in each of the wards of such city, by the duly qualified voters in such wards, one person of like qualifications to be a member of city council of such city and who shall serve for the term of two years and until his successor is elected and shall have been duly qualified; and thereafter at the regular municipal election held in such city next prior to the expiration of the term of office of any councilman elected from any ward under this act, there shall be elected in such ward a councilman of like qualifications for the term of two years and until the election and qualification of his successor. Should any vacancy occur in the membership of such city council, the remaining members of said council shall, within thirty days thereafter, appoint a properly qualified person to fill such vacancy to serve until the first of January following the next succeeding municipal election in said city, at which election a member shall be elected to serve for the unexpired term. The term of office of a member of said city council shall begin at twelve o'clock noon, on the first day of January next succeeding his election, which shall be the date of the annual meeting for the organization of city council in such city. The legislative power in any such city shall, subject to the limitations and restrictions herein contained, be vested in the city council to be elected as herein set forth.

First election.

Succeeding elections.

Vacancies.

Beginning of term.

Election of other city officials.

4. There shall also be elected in each and for each of the wards of such city, at said first election held in

such city after the adoption of this act, and in and for said city from time to time, such other officers, and for such terms as is now or hereafter may be provided in law, or as are herein otherwise provided by this act, except a mayor, recorder, city treasurer, city comptroller and collector of taxes, who shall be elected as provided under section five of this act. Exceptions.

5. The following officers shall be elected in such city after the acceptance of the provisions of this act and at the municipal election held in such city immediately prior to the expiration of their respective terms of office, namely, one mayor, one recorder, one city treasurer, one city comptroller and one collector of taxes, and such other elective officers as may be prescribed by law from time to time hereafter; the term of office of all such officers shall be three years and until their successors shall have been elected and duly qualified, and each of said officers shall be over twenty-five years of age, a citizen and a resident of such city, and shall have been such citizen and resident for at least three years immediately preceding his election. Election of mayor and other principal officers. Term. Qualifications.

6. The term of office of all officers hereafter elected by the people or appointed by the mayor or city council in such city shall, except as herein otherwise provided, commence on the first day of January next ensuing their election, at twelve o'clock noon; *provided, however,* that this shall not apply to justices of the peace, unless hereafter so provided by law. When term commences. Proviso.

7. If any person who shall be elected or appointed to any office in such city shall not qualify according to law for the space of sixty days after such election or appointment, or if any person who shall be elected or appointed to fill any vacancy in any office shall not qualify, according to law, for the space of thirty days after such election or appointment, or if any such person shall remove from such city, or in case of a ward office, from the ward from which he was elected or appointed, his office shall be deemed vacant. Failure to qualify. Removal.

8. In case of a vacancy by death, resignation, disability, disqualification, removal from office, neglect or refusal to act, removal out of the city or ward from Filling vacancies.

which any such officer is appointed, or from any other cause in any appointive city or ward office, such vacancy shall be filled by appointment for the unexpired term and until the appointment and qualification of a successor. If any vacancy shall occur in any elective city or ward office, except mayor, the city council shall fill the same by appointment; and should such vacancy occur in any appointive city or ward office, the mayor shall fill the same by appointment, unless the original appointment was filled by city council, in which case city council shall fill such vacancy; such appointments shall be made in the case of elective offices only until the election and qualification of their successors, and at the next election such vacancy shall be filled by election for the remainder of the unexpired term or terms; and if at any such election in any such city there shall be one or more vacancies to be supplied in any office at the same time any person is to be elected for the full term of said office, or if two or more are elected at the same time to serve for different terms, the term for which each person is to be voted for, for said office, shall be designated on the ballot; such appointees or persons elected to fill such vacancies shall, during the said term, perform like service, be entitled to the same remuneration by way of salary or other compensation, and be subject to the same responsibilities as though elected at the annual election or appointed at the regular time for the full term; *provided*, that all resignations shall be sent to the mayor, and he shall report the same to the city council at its next regular meeting thereafter.

Proviso.

Oath of office.

9. Every person elected or appointed to any office in pursuance of this act or of any law or ordinance of the city council, shall, before entering upon the duties of such office, take and subscribe before the mayor or city clerk or other officer authorized by law to administer oaths, an oath or affirmation faithfully and impartially to execute the duties of his office to the best of his knowledge, skill and ability, and such other oaths as may be required by the laws of this State; all such oaths or affirmations shall be filed by the city clerk in

his office. The recorder city treasurer, collector of taxes, deputy collectors, constables, overseer of the poor, city comptroller, and such other officers as the city council may require shall also, before entering upon their duties, each give bond to the city in its corporate name in such sums and with such sureties as the city council may by ordinance approve, or as may be required by any act of the Legislature of this State, conditioned for the faithful performance of the duties of their respective offices; and if at any time the city council shall deem the sureties of any officer insufficient, the said city council shall require him to give additional sureties; the city council of any such city shall have the power to contract with a surety company authorized to do business in this State to become surety for any or all officers required to give bonds as aforesaid, and to provide for the payment of the premiums for such bonds. Bonded officers. As to surety companies.

10. Any city or ward officer, except officers of the police and fire departments and other civil service employes of such city, may be removed from office by resolution of city council for incapacity, disability, misbehavior, or other good cause shown upon complaint in writing, setting forth such cause, supported by one or more affidavits of the truth of the facts therein alleged; *provided, however,* that no such removal shall take place until the person sought to be removed has had ten days' notice of such complaint and an opportunity to be heard in his defense, nor unless two-thirds of all the members of the city council shall vote for such removal. Removal of subordinates. Proviso.

The provisions of this section are subject to the power of removal given to the mayor by section fifty of this act. Mayor's power of removal.

CITY COUNCIL.

11. The city council shall meet at least once a month and shall choose its officers, and, in the absence of the president, elect a president pro tempore, fix its time and place of meeting, adjourn from time to time, determine the rules of its own proceedings, and may punish or expel a member from office for misconduct or a violation Organization, meetings, etc.

of its rules; but no expulsion shall take place except by vote of two-thirds of all the members of city council, nor until the member sought to be expelled shall have had ten days' notice of the complaint against him and an opportunity to be heard in his defense.

Official designation.

12. The councilmen of such city, duly elected therein as provided in section two of this act, shall constitute and be called "The city council of ————" (inserting herein the name of the city in which this act shall take effect).

Salary.

13. Each member of city council of any such city elected under this act shall receive such salary as may be authorized by law for his services, to be paid monthly out of the city treasury of such city.

Committees.

14. City council may provide for the appointment by its president of such committees from among its membership from time to time as it may deem expedient and may define the duties of each committee so appointed.

Qualifications and journal.

15. The city council shall be the sole judge of the election, returns, and the qualifications of its own members, and shall keep a journal of its own proceedings.

Fiscal year.

16. The city council shall have the power by ordinance to fix and to change from time to time, the date of the beginning and ending of the fiscal year; and for the purpose of effecting such change the fiscal year may cover a longer or shorter period of time than one calendar year.

Councilmen not to be interested in contracts.

17. No member of city council elected in any such city shall be interested, directly or indirectly, in any contract or job for work or materials, or the profits thereof, or services to be furnished or performed for the city.

No gratuities.

No officer or employe of said city shall accept or receive, directly or indirectly, from any person, firm or corporation, operating within the territorial limits of said city, any interurban railway, street railway, gas works, water works, electric light or power plant, heating plant, telegraph line, telephone exchange or other business using or operating under a public franchise, any frank, free pass, free ticket, or service, or accept or receive, directly or indirectly, from any such person, firm or corporation, any other service upon terms more favorable than is granted to the public generally.

Free riding for firemen and police in uniform.

Such prohibition of free transportation shall not apply to policemen or firemen in uniform; nor shall any free service to city officials heretofore or hereafter provided by any franchise, contract or ordinance be affected by this section.

Fixing salaries.

18. The city council, at the meeting preceding the expiration of the term of office of any city, ward, or department officer or officers, either elected or appointed, shall fix the salary of such officer or officers for the ensuing term or terms by ordinance; and in case of the neglect or refusal of the said city council to fix the salary of any such officer or officers as aforesaid, then the salary or compensation theretofore paid for similar services shall be considered the salary or compensation of such officer or officers for such ensuing term or terms of office; provided, that the salary or compensation of all officers of any such city as now existing shall be and remain as the salary or compensation to be paid to such officers after the adoption of this act until the termination of their respective terms of office and until the same shall be changed by the city council under the provisions of this act.

Proviso.

Limitations pertaining to councilmen.

No member of the city council of such city shall be appointed to or competent to hold any other office, the salary or emoluments of which are paid from the city treasury, nor shall such member or any officer of such city be or become security for any officer appointed by the mayor or said council, or for any contractor under the city government, and no member of city council shall be appointed, during the term for which he was elected, or within one year thereafter, to any position or office which was created during his term, nor to any office of which the salary or emolument was increased during his term of office, under the penalty of five hundred dollars for each offense, to be recoverable by suit in the name of such city, and the said penalties, when recovered, shall be paid into the city treasury.

City clerk.

19. There shall be in every such city a city clerk, who shall be appointed by the city council for the term of three years; he shall be the clerk of the city council, and shall keep accurate minutes of its proceedings. The city clerk shall perform such duties as may be required of him by law or by city council.

Sign licenses; turn in moneys.

20. The city clerk shall sign all licenses and receive and pay over to the treasurer of such city all moneys which by any law, ordinance or usage are paid to him.

Quorum.

21. A majority of the whole number of members of the city council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time; the president of the city council

Special meetings.

shall be authorized to call special meetings of the city council when the public good shall, in his opinion, render it necessary; it shall also be the duty of the president, or, in his absence, of the city clerk, to call a special meeting of city council on the written request of five of the members of the city council. No special meeting shall be called without at least twenty-four hours' notice.

Enacting clause.

22. The enacting clause of all ordinances shall be: "Be it ordained by the city council of ————" (inserting herein the name of the city in which this act shall take effect).

Passage of ordinances.

23. No ordinance shall be passed or repealed by the city council except with the concurrence of a majority of all the members of the city council, and no ordinance shall be altered or repealed save by ordinance to that effect; every ordinance shall be read three times before its final passage; no ordinance shall be introduced except at a stated meeting or a special meeting called for that purpose, nor shall any ordinance be finally passed except at a subsequent meeting to that at which it may be introduced, unless by two-thirds vote of the entire membership; every ordinance shall, after its final passage as

Considered by mayor.

above provided, be presented by the city clerk to the mayor for his consideration, and if the mayor shall approve it he shall sign it, and if he shall disapprove it, he shall file his objections thereto with the city clerk within ten days after the same was so presented to him; it shall be the duty of the city clerk to report such objections to the city council at its next meeting, and to

Action on veto.

enter the same in full upon the journal; the city council may thereupon proceed to reconsider the passage of such ordinance; every ordinance which shall have been passed by city council and shall have been approved by the mayor, as above provided, or if not so approved by the

mayor, shall have remained without objections filed, as above provided, for ten days after the same was presented to him, or if disapproved by the mayor, shall have been passed by a vote of two-thirds of all the members of the city council upon a reconsideration, as above provided, notwithstanding his objections filed, shall be published in one or more newspapers published in such city, and upon the day of the first publication thereof shall take effect; it shall be the duty of the mayor to return every such ordinance to the city clerk within ten days after the same shall have been presented to him, either with or without his signature; the votes upon the third reading and final passage of any ordinance and upon the reconsideration of any ordinance after objections filed by the mayor as aforesaid shall be taken by ayes and nays and shall be entered in full on the journal of said council; provided that it shall not be necessary by reason of anything contained in this section to read any such ordinance in full more than once before its final passage. If any ordinance appropriating any money contains several items, the mayor may disapprove or veto one or more of such items while approving all the other portions or items of such ordinance. The items so disapproved may be reconsidered and passed over the mayor's veto, as herein set forth, but otherwise the same shall be considered as expunged from said ordinance by such veto.

Mayor must act.

Proviso.

Separate items of appropriations may be vetoed.

24. The city council in every such city shall annually, in the month immediately preceding the beginning of the fiscal year, or as soon thereafter as possible, pass the annual appropriation ordinance for the different departments of the city, and no appropriation shall be exceeded, nor work contracted for, nor materials ordered, nor proposals asked for either work or materials, unless the cost of such work and materials can be paid for out of the appropriation of the year, unless in case of extreme emergency, which emergency shall be set forth in such ordinance, and then only by ordinance passed by a vote of three-fourths of the members of the entire city council and with the approval of the mayor.

Appropriations for fiscal year.

Appropriations over $200 by ordinance.

25. All appropriations for money for any purpose above the sum of two hundred dollars shall be by ordinance and it shall require a majority of the entire council to pass an ordinance for the appropriation of money.

Monthly financial statement.

26. It shall be the duty of the city treasurer to furnish to the finance committee at their regular monthly meeting a statement of the total receipts and expenditures since the preceding meeting of the committee, and a statment of the amounts deposited in each of the banks or in his vault, also a statement of the total expended of each appropriation, signed by himself, and the correctness thereof approved by the city comptroller. Said statement shall be reported at the next regular meeting of city council by the finance committee, and it shall not be lawful for the city treasurer to pay any order for work done or materials furnished in excess of the annual appropriation, unless said work is ordered by a three-fourths vote of the city council.

Powers of council.

27. The city council of such city shall have power to make, establish, publish, modify, amend or repeal ordinances for the following purposes:

Financial.

I. To manage, regulate and control the finances and property, real estate and personal of the city; to borrow money and negotiate temporary loans in anticipation of taxes or other revenues for any current year, not exceeding fifty per centum of such taxes or revenues in any one year, and for payment for any public improvement, not exceeding the amount of the specific assessment for such improvement, and to secure the payment thereof by notes or temporary certificates or indebtedness;

Police regulations.

II. To prevent vice, drunkenness and immorality; to preserve public peace and good order; to prevent and quell riots, disturbances and disorderly assemblages;

Amusements.

III. To prohibit restrain, regulate and license for revenue all parades on or along the streets or highways, sports, exhibitions of natural or artificial curiosities, caravans of animals, theatrical exhibitions, circuses or other public performances, amusements and exhibitions for money, and all kinds or classes of occupation, trade, calling or business and the place or places in or at which

the same are to be conducted or carried on; and to fix the fees to be paid for such licenses to the city, which may be imposed for revenue;

Streets, parks, wharves, etc.

IV. To establish, fix, vacate, alter, change and regulate the width and use and control of, pave and repave, clean and keep in repair the streets, sidewalks, highways, alleys, parks, bridges, wharves, docks, piers and other public places or public works in said city, and prevent and remove obstructions and incumbrances in or upon the same in any manner whatever; to prescribe and regulate the manner in which corporations or persons shall exercise any privileges granted to them by said city in the use of any street, avenue, highway, alley, dock, wharf or public place in such city; to direct and regulate the planting, rearing, trimming, preserving and protecting of ornamental or shade trees in the streets, avenues, parks and grounds of the city and to designate the location thereof, and to authorize or prohibit the removal or destruction of such trees; to name the streets and number the houses of such city, and to change such names or numbers, and to enforce the removal of snow, ice, weeds or dirt from the sidewalks of such city by the owners or occupants of the premises fronting thereon;

Trees.

Naming streets; numbering houses.

Clean sidewalks.

Care of lots.

V. To direct the digging down, draining, filling up or fencing of lots, pieces or parcels of ground in said city which shall be deemed dangerous, unhealthy, unwholesome or necessary to carry out any improvement authorized by this act; to prescribe the manner in which said work shall be performed and to cause the expense thereof to be assessed in just and equitable proportions on the lots, pieces or parcels of ground, whether improved or unimproved, benefited thereby to the extent of the peculiar benefits conferred;

Obstructions beyond building line.

VI. To prevent or regulate the erection or construction of any stoop, step, platform, bay-window, cellar-door, area, descent into a cellar or basement, sign or sign board, bill board, or any post or erection, or any projection or otherwise, in, over or upon any street, avenue, highway or public place, and to specify under what conditions such erections and construction may be

made and to remove the same where unlawfully erected, at the expense of the owner or occupant of the premises;

Public places. VII. To regulate, protect and improve the parks, public burial grounds and other public grounds and public places in said city;

Lighting. VIII. To provide for and regulate the lighting of all streets, parks and public places of such city;

Animals, etc., running at large. IX. To establish and regulate one or more pounds, and to prohibit, restrain and regulate the running at large of chickens, ducks, geese, horses, cattle, swine, goats and other animals, and to authorize the impounding and sale of the same for the penalty incurred and the costs of keeping, impounding and sale; and to regulate or prohibit the keeping of chickens, ducks, geese, swine, goats or other animals in any part of such city;

Dogs. X. To regulate and prevent the running at large of dogs; to authorize the destruction of dogs running at large and to impose taxes on the owners of dogs for revenue;

Health. XI. To establish a board of health, define its powers and duties and provide for the protection and maintenance of the health of the city;

Contracts. XII. To prescribe the manner in which all contracts for performing work or furnishing materials for the city shall be made and executed; subject, however, to the provisions of this act;

Nuisances. XIII. To abate and remove nuisances of every kind and to make such regulations as may be deemed necessary to prevent the same from becoming deleterious or offensive to the health or cleanliness of such city;

Weights and measures. XIV. To regulate weights and measures in conformity with the standard of weights and measures established by law, and to require under proper penalties prescribed by ordinance every merchant, retailer, trader and dealer in merchandise, or property of any description which is sold by measure or weight, to cause his or her weights and measures to be inspected, tested and sealed by the city sealer of weights and measures, or other officer, and to be subject to his inspection, the fees for such inspection to be fixed by

ordinance, and that such fees may be imposed for revenue;

Police department.

XV. To establish a day and night police force and prescribe the duties and fix and determine the number and the compensation of the officers and members thereof;

Fire department.

XVI. To establish a fire department; to regulate and define the number of the officers and members of such fire department, their duties and compensation; to provide fire engines and other apparatus, and engine houses and other places for keeping and preserving the same, and to provide water for extinguishing fires;

Buildings.

XVII. To regulate and control the manner of building dwelling-houses and other buildings, and to prohibit, within certain limits, to be from time to time prescribed by ordinance, the building or erection of any dwelling-house, store, stable or other building of wood or other combustible material; and to prescribe, by ordinance, the kind of materials to be used in such construction; to regulate and require the construction of fire escapes, and provide for the kind and manner of construction thereof; to prevent the setting up or the construction of furnaces, stoves, boilers, ovens or other things in such manner as to be dangerous to life, limb or property; to prohibit the deposit of ashes in unsafe places or in any of the streets or alleys of the city; to license for revenue, regulate or prohibit the manufacture, sale, keeping, storage or use of fireworks and the use of fire-arms in such city; to license for revenue, regulate or prohibit in such city 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; to raze or demolish any building or erection which, by reason of fire, contagion or any other cause may become dangerous to human life or health, or tend to extend a conflagration; to prevent the occupation of or continuance of work upon any building in such city which has been condemned by the building inspector of such city, and to remove, tear down, or wholly or partially destroy such building at the expense of the owner thereof; to require all such

Fire escapes.

Stoves, etc.

Explosives and firearms.

Condemned buildings.

New Jersey State Library

further or other acts to be done and to regulate and to prohibit the doing of all such further acts as they may deem proper to prevent the occurrence of fires and provide for the extinguishment of fires in such cities; to condemn or have condemned, by some duly appointed agent or officer, any building or structure, and to provide for the demolition or reconstruction of the same when found to be unsafe or not in conformity with the building ordinances in said city, and to provide that the cost and expense of rendering the same safe or in conformity with such ordinances, or of tearing down or removing the same, shall be made a lien upon or a charge against the land upon which the same is erected, and to provide for the enforcement and collection of such expense in the manner herein provided for the collection of assessments for benefits.

Debris.

XVIII. To regulate and prohibit the deposit of hay, straw, paper, boxes or other rubbish upon any yard, lot or parcel of land, or under any building or within any street, highway, public places or public park in such city;

Levy taxes, etc.

XIX. To provide for the levying and collecting the taxes, municipal liens, fines, penalties and all assessments for public improvements, except that the amount of moneys to be provided and raised by taxation in any one year shall be fixed and determined by the board of estimate in such city, as hereinafter provided;

City departments.

XX. To create and establish such offices and departments from time to time as may be deemed necessary and to prescribe and define, except as by law or as herein otherwise may be provided, the duties and terms of office of all city, ward and department officers, and to fix and determine their salaries or compensation. Whenever

Assistants.

city council shall deem it necessary to provide a clerk or clerks, or other assistants, in any of the departments of said city, they shall have power, subject to the provisions of this act and the laws of this State, to pass, alter, amend and repeal all ordinances necessary to fix or determine the number and character of such clerks or assistants and other employes as may be necessary to carry into effect the powers and duties hereby created or otherwise conferred or imposed; and to fix and de-

termine their compensation, duties and terms of office or employment; but no officer under such government, or employed in any department in such city, either elected or appointed, shall have his salary, fees or emoluments of office increased or diminished during the term for which he was elected or appointed, provided that this section shall not apply to the wages, salaries or compensation to be paid to mechanics working at their regular trades, or day laborers in the various departments; or to firemen, policemen or other civil service employes of such city, who have no fixed terms of office; Compensation.

XXI. To abolish any office or department or consolidate the same with any other office or department of such city; *provided, however,* that no elective office shall be abolished or consolidated with any other office or department; Abolish offices. Proviso.

XXII. To fix and determine a reasonable fee or compensation to be paid to any officer of such city or other person employed by such city for any service required of him by this act, or any other act not inconsistent with this act, or by any ordinance or resolution passed by city council for which no specific fee or compensation is provided, to be paid by the person or persons for whom such service shall be performed; and which said fee or compensation shall in the case of all salaried city officers be paid into the treasury of such city; Fees for service.

XIII. To provide a supply of water for the city and its inhabitants, and to equip, construct or purchase a suitable water works, plant or plants, or an additional water works, plant or plants, in case such city already has a water plant, and to equip, construct or purchase water works and machinery for supplying water to such city and the inhabitants thereof, as well as to outlying or adjoining districts, for public, private or commercial use, and to provide for the maintenance and operation of such water works, plant or plants; to regulate the rate or price of supplying citizens and others with water, and to provide and regulate the collection of water rents due to the city; to provide for the laying and relaying of water pipes in said city, and to fix and collect a charge or assessment for the same as provided by law, to pur- Water-supply.

chase and hold in fee sample, or lease for a term of years, in connection with such water plant or plants, any land, real estate, spring, brook, water plant or plants, any water basin or shed or water rights, and to prevent the city water from being obstructed, wasted or contaminated, or the city water works injured in any manner;

Sell land not needed.

XXIV. To provide for and authorize the sale of any lands belonging to such city, that in the opinion of the city council are not needed for the use of such city; subject, however, to the provisions of section ninety-five of this act;

Sewers and drains.

XXV. To cause common sewers or culverts or drains to be constructed and to regulate the use of the same, and to provide for the purchase, construction, operation and maintenance of a sewerage system or systems for the disposal of wastes and storm-water, separately or combined;

Boundaries.

XXVII. To change, readjust and define the boundary lines of each ward and to divide each of the wards in such city into voting precincts, as provided by law, and to define, establish and readjust the boundary lines of such precincts; *provided, however,* that the number of wards in any such city shall not be increased above twelve, or decreased below five; in case of any new territory being annexed to, or consolidated with any such city, the same shall be made a part of some ward or wards already then existing, or the ward lines changed or readjusted so as to include the same;

Proviso.

Encourage development of city.

XXVII. To provide for the encouragement of the growth and development of any manufacturing industry or industries in the said city by the passage of ordinances for the abatement or cancellation of any or all taxes levied for municipal purposes upon the tools, implements, motor power or machinery of any such manufacturing industry or industries;

Franchises.

XXVIII. To grant, subject to the limitations and conditions prescribed by law, specific franchises or rights in or relating to any of the streets, alleys, lanes, public places or public property of the city;

Cemeteries.

XXIX. To purchase lands for and maintain control and manage a cemetery, cemeteries or other public burial

place or places, and to provide for the appointment of trustees, or other officers, to manage and control the same;

Accidents.

XXX. To provide for the protection of the lives and limbs of its citizens and others in such city, and to lessen the danger to such lives and limbs arising from fires and other causes or accidents;

Advertising city.

XXXI. To provide for advertising the advantages, location and business facilities of such city;

Witnesses.

XXXII. To provide for and compel the attendance of witnesses and the production of records, papers and other evidence relating to any subject at any time authorized by law to be investigated by city council;

General good of the community.

XXXIII. To make and establish such other ordinances, regulations, rules and by-laws not contrary to the laws of the State or of the United States, as may be necessary and proper for good government, order, protection of persons and property, and for the preservation of the public health, morality, safety and the prosperity and commercial advancement of said city and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this act, or by any law of this State, and the same to alter, modify, amend and repeal.

Fix penalties.

28. In all cases where by the provisions of this act the city council shall have authority to pass ordinances on any subject, they may prescribe a penalty or penalties for violation thereof, either by imprisonment in the city or county jail not exceeding ninety days, or by a fine not exceeding two hundred dollars and imprisonment in the work-house, city or county jail not exceeding ninety days, in default of the payment of such fine, and it shall be lawful for the city council to authorize and empower the officer before whom any person or persons offending may be tried, on conviction, to impose any fine in the discretion of such officer, not exceeding the maximum fixed in such ordinance, or to imprison for any term not exceeding the term fixed therein; the book or books of record of the ordinances and by-laws of the said city council shall be taken and received as evidence of the due passage by said city council of all ordinances re-

Ordinances in evidence.

corded therein; and any printed volume of ordinances published by authority of the city council, and also a copy of any such ordinance or ordinances duly certified by the city clerk of such city shall in like manner be taken and received as evidence in all courts of this State of the ordinances of the said city council; and the publication of said ordinances in a public newspaper or newspapers according to law shall in all cases be presumed to have been made until the contrary be proved.

Continued neglect to comply deemed new offense.

29. When, in any case, a penalty is imposed upon any person or persons for failure, neglect or refusal to perform any requirement of any ordinance of such city, continued failure, neglect or refusal, after conviction, shall, in every case, be deemed and taken as a new offense.

Hospitals.

30. The city council shall have the power to build and maintain one or more hospitals, and such other public buildings as they may deem necessary, and such as may be required for the accommodation of the city officers and the day and night police and fire departments of such city.

Work and almshouses.

31. The city council shall have power to build, establish, keep and maintain one or more workhouse or workhouses, or one or more almshouse or almshouses, and to direct or order what persons shall be placed therein and for what length of time and the manner of ordering, placing and keeping persons therein; and the application and expenditure of all moneys raised for the maintenance and relief of the poor of such city shall be under the government, management and direction of the said city council and of the overseer of the poor and such other officer or officers as such city council may for that purpose constitute and appoint; and the overseer of the poor shall possess the same powers and perform the same duties as the overseer of the poor in the townships of this State in so far as such powers and duties shall be consistent with the provisions of this act.

Care of the poor.

Powers of the overseer of the poor.

Tax ordinance.

32. The city council shall have power by ordinance to raise, by tax, in each year, such sum or sums of money as may be fixed and determined, as hereinafter

set forth, by the board of estimates, for the carrying out and maintaining of all the municipal projects and purposes herein set forth, or otherwise authorized by law.

Granting franchises.

33. Every ordinance granting any franchise, or the right to occupy or use any street, highway, bridge or public place of the city for any purpose, as well as every ordinance providing for the sale, lease or disposal of any franchise or other public property, and also every ordinance laying out, opening or vacating any public highway or park, or increasing the bonded debt of said city, shall be complete in the form in which it is finally passed, and shall be published for at least two insertions, which publication in the case of an applicant for any franchise or other right in any street or park, or public place or public property, or for any other purpose, shall be at the expense of the applicant, and shall remain on file with the city clerk for public inspection at least ten days after the last publication and before the final passage or adoption thereof; after its final passage or adoption it shall be published as other ordinances are published; and no such ordinance passed by the city council of any such city, except when otherwise required by the general laws of the State or by the provisions of this act, shall go into effect before ten days from the time of its final passage; and if during said ten days a petition, signed by electors of the city equal in number to at least fifteen per centum of the entire vote cast at the last preceding general municipal election, protesting against the passage of such ordinance as provided in section ninety-four hereof, be presented to the city council, the same shall thereupon be suspended from going into operation, and it shall be the duty of the city council to reconsider such ordinance; and such ordinance shall not go into effect or become operative unless two-thirds of the members of city council on such reconsideration shall vote in favor thereof. Said petition shall be in all respects in accordance with the provisions of said section ninety-four, and be examined and certified to by the clerk in all respects as therein provided.

Publication.

When in effect.

Petition against ordinance.

Reconsideration.

Authority:

34. It shall be lawful for the city council of such city, whenever in their opinion the public good requires it, by ordinance:

To lay out streets, etc.;

I. To lay out and open any street, road, highway, alley, public park or public square within such city; and subject to the provisions of this act, to order and cause any street, road, highway or alley already laid out to be vacated, straightened, altered or widened, and to purchase or condemn for any such purpose, when necessary, any lands and real estate upon making compensation to the owner or owners thereof as is hereinafter mentioned and provided, and such power shall belong exclusively to the city council; and to cause to be assessed upon all the owners of lands and real estate peculiarly benefited by any such improvement, such proportion of the cost thereof as represents the special and peculiar benefits, which such owners shall receive by reason of the improvement, in proportion to the benefits received by each;

To sewer or drain;

II. To order and cause sewers or drains to be constructed and if necessary to purchase or condemn for the purpose of constructing such drains or sewers any lands and real estate upon making compensation to the owner or owners thereof, and to cause to be made a just and equitable assessment upon all the owners of lands and real estate peculiarly benefited by such construction, and acquiring of lands and real estate, in proportion to the benefit each shall be deemed to receive therefrom; all such assessments shall be entered by the city engineer in a book or books in the tax collector's office to be provided for that purpose;

To grade, pave, etc.;

III. To order and cause any street or section of a street to be graded, graveled, paved, repaved, flagged or otherwise improved and regulated in such manner as they may deem advisable, and to cause to be assessed the costs and expenses of such improvement upon the owner or owners of property benefited thereby; in no case, however, shall any assessment of benefits made under the authority of this section exceed the special and peculiar benefits which the owner or owners of said property shall receive by reason of the improvements;

all such assessments shall be entered by the city engineer in a book or books in the tax collector's office to be provided for that purpose;

To provide for sidewalks.

IV. To provide for the grading, construction, curbing, paving, or otherwise improving or repairing the sidewalks, and for renewing, reconstructing, recurbing and repaving the same.

Sidewalk assessments.

35. It shall be lawful for the city council by resolution, to be prepared by the city engineer, to assess the cost of grading or repairing, constructing or reconstructing, curbing or recurbing, paving or repaving, or otherwise improving, repairing or renewing of sidewalks, upon the lot or lots of land in front of which such sidewalks shall have been so constructed, improved, or repaired; such resolution shall state the name of the owner of each lot as nearly as can be ascertained, the number of the lot as the same appears upon the city atlas, and the amount assessed thereon; it shall be the duty of the city engineer to at once enter the same in an orderly manner in a book or books in the tax collector's office to be provided for that purpose, to be labeled "sidewalk assessments"; such assessments shall, from the date of the passage of such resolution, be and remain a first lien upon the lots or property upon which they are laid until paid, and shall be enforced in the manner herein provided for the enforcement and collection of assessments of benefits for other public improvements.

Subsequent proceedings by resolution.

36. Whenever any ordinance shall be passed by the city council for making any improvement or performing any work under and by virtue of the provisions of this act, all further acts and proceedings which it may be necessary for the said city council to take to carry out said improvement or work to completion, and all orders relating thereto, may be by resolution and not by ordinance.

Property may be acquired by condemnation.

37. Whenever the city council of any such city shall have determined to acquire land or other property pursuant to authority conferred by law, and cannot acquire such land or other property by agreement with the owner, whether by reason of disagreement as to the

price or the legal incapacity or absence of the owner, or his inability to convey a valid title, or the lack of authority of such city to do so by agreement, or by reason of any other cause, the compensation shall be ascertained and paid by condemnation proceedings in the manner directed by the laws of this State; *provided, however,* that it shall be unlawful except under and according to the provisions of the condemnation laws of this State, for such city to purchase any lands or real estate for park purposes, or for street openings or extensions, or for the purchase, equipment, enlargement or extension of any municipal light, power or water plant where the price or consideration asked by the owner or owners of the land, plant or other property so to be purchased shall exceed the sum of five thousand dollars.

Proviso.

All taxes and assessments a lien.

38. All taxes and assessments heretofore or hereafter levied, assessed or made upon any lands, tenements or real estate situate in such city shall be and remain a first lien thereon until paid, notwithstanding any devise, descent, alienation, mortgage or other encumbrances thereof; and if the full amount of any such tax or assessment shall not be paid and satisfied, it shall and may be lawful for the city council to cause such lands, tenements or real estate to be sold by the corporation counsel under and in accordance with the laws of this State, providing for the collection of delinquent or unpaid taxes and assessments, and to authorize such corporation counsel to prepare and execute declarations of such sales, and to deliver the same to the purchaser or purchasers.

Fees.

39. The fees to be collected by the tax collector, corporation counsel, or other officer for performing any service specified by law or this act in relation to the sale of lands, tenements and real estate for unpaid taxes and assessments and for the recording and canceling of declarations of sales shall be the same as is now or may hereafter be provided by law; *provided, however,* that all such fees shall be turned into the city treasury except in the case of the delinquent personal tax collector or his deputy whose office need not be a salaried one, unless so provided by law or ordinance.

Proviso.

Grades established.

40. It shall be the duty of city council to establish, by ordinance, the grades of the several streets and alleys which now are or may hereafter be opened in such city, and it shall not be lawful, after the same shall have been established, to alter the grade of any street or alley except by ordinance.

Regulation of sewer, gas and water pipes.

41. The city council is hereby authorized and empowered to pass and adopt such ordinances and regulations as to said council may seem proper for regulating, controlling and prescribing the manner in which any sewer or drain, water or gas mains or pipes, or other pipes and conduits shall be constructed and the manner in which connections therewith from any house, building, yard or other place shall be made, and for the keeping of the same in proper repair and providing for the cost thereof.

Record on city atlas recognized.

42. All assessments or taxes upon lot owners in such city which may be made for any purpose authorized by this act or to be authorized by law, shall be made upon the lots as they shall stand recorded on the city atlas; and in advertising the sales of the same for such assessments or for taxes, or in entering liens thereon it shall be sufficient to describe said lots by the letters and numbers by which they are designated on the city atlas, together with the name or names of the owner or owners thereof as the same appear in the tax duplicate or records of assessments; in case the name of the owner or owners is unknown and cannot be ascertained, such assessments and taxes shall be made against the lots so designated, with the declaration that the owner's name is unknown.

Reinstitution of condemnation proceedings.

43. Whenever, by reason of any informality or illegality, any proceedings relative to the condemnation of lands or other property, or relative to the making of assessments for benefits, shall be set aside by judicial authority, it shall be lawful for the city council to reinstitute the proceedings set aside, and proceed therein the same as though the former proceedings had not been had; or the said city council may reinstitute said proceedings from the point where such informality or illegality may have been so decreed; and whenever the city council shall discover that any such proceedings shall be liable

to be set aside by judicial authority, they may reinstitute said proceedings from the point where such informality or illegality commences, and no condemnation or assessment shall be deemed invalid in consequence thereof; but no writ or certiorari shall be allowed or issued to set aside any proceedings taken for condemnation of any land or of any interest, right, title, easement or estate in any land, or of any other property or franchise, or to set aside any proceedings taken in making any assessment for benefits unless the same be applied within sixty days after the happening of the irregularity or act complained of, or within sixty days after the confirmation of any such assessment.

As to certiorari.

Proper office facilities.

44. If in such city there are not public buildings or constructions, the property of the city, suitable, proper and sufficient, in the opinion of city council, to accommodate the different officers and departments of the municipal government, or for other public and municipal uses, it shall and may be lawful for the city council of such city, by ordinance, to provide for additions to or the erection and construction of any and all such buildings, and to purchase, appropriate and condemn suitable lands and real estate therefor, and to suitably furnish and equip the same, subject, however, to the provisions of section thirty-seven of this act.

Acquire land for public utilities.

45. It shall be lawful, whenever the city council shall deem it necessary and for the public good, to purchase or condemn any lands for any of the purposes mentioned in the preceding section of this act, or to purchase or condemn, in whole or in part, the plant, property or franchise of any person or corporation for the purpose of supplying such city or the inhabitants thereof with water, or for the removal and disposition of the sewage system, or in furtherance of any public utility franchise or business owned, controlled or operated by such city, subject, however, to the provisions of section thirty-seven of this act.

Negotiate temporary loans.

46. It shall be lawful for the city council of such city, by ordinance, subject to the provisions of paragraph one in section twenty-seven of this act, to negotiate temporary loans for a period not exceeding, with any re-

newals thereof, three years; which loans shall only be in anticipation of city taxes and of assessments for laying out and opening, straightening, altering or widening any street, road, highway or alley, and for the construction of sewers and drains and the regulating, grading and paving of streets and sidewalks, and of fees imposed for licenses and other annual revenues and shall not exceed fifty per centum of the amount of such anticipated taxes, license fees or annual revenues or ninety per centum of any such anticipated assessments, and all such temporary loans shall be retired and paid when the revenues anticipated are received; and it shall be lawful to appropriate and use the moneys so obtained on temporary loans in anticipation of revenues for city purposes, and all moneys so appropriated and used shall be provided for in the annual tax levy.

Amount.

47. The said city council shall have power, and may from time to time cause the said city, or such parts thereof as they may think proper, to be surveyed and mapped, and may survey and make maps of all such roads, streets, alleys and public passageways as have been dedicated to the public as they shall think proper; and all such streets, roads, alleys and ways, when surveyed, and such surveys approved by the city council and filed, shall be deemed and taken to be public streets or highways, and be treated as such in all respects; also, to cause to be made within said city, surveys and maps of the said city, or any part thereof, which has not yet been laid off or run out into streets, and to determine where the new streets and thoroughfares shall run, and to mark the lines, and establish the grades thereof, which said lines and grades so established, and the surveys and maps made thereof, and approved by the city council, shall be binding upon the owner or owners of said land or real estate so surveyed and mapped as aforesaid; and whenever the owner or owners thereof see proper to open streets and lay out his, her or their property in lots, he, she or they shall open streets or thoroughfares as they shall have been laid out, surveyed and marked, and according to the lines and grades established as aforesaid, and the said streets and thoroughfares, when so

Map of streets, etc.

opened by the owner or owners thereof, shall be public streets and highways, and shall be treated as such in all respects.

BONDS.

Bonds may be issued.

48. It shall be lawful for the city council, in the name of the city, under authority of this act, and as provided in section ninety-two thereof, to issue its corporate bonds

Amount.

for any sum not exceeding fifteen per centum of the taxable value of the property as lastly rated for assess-

Details.

ment; and obligations shall be issued in the name of the city and under its corporate seal and shall be signed by the mayor and attested by the city clerk, signed by the city treasurer and countersigned by the city comptroller; they shall be of such denominations and bear interest at such rate, and be payable at such times and places not exceeding thirty years from the date of issue as the city council may determine; they shall be disposed of at not less than their par value and the accrued interest thereon; the proceeds of such securities may be used for the purpose of making any of the improvements authorized by this act and for other lawful pur-

Proviso.

poses; *provided,* that in every instance the issue of bonds shall be authorized by ordinance and the purpose for which the bonds are to be used shall be expressed therein, and the proceeds thereof shall be used for no other purpose, except that the accrued interest received in all such sales shall be turned in and added to the annual interest

Use of assessments.

appropriation in such city; whenever bonds are issued to provide funds for any of the purposes authorized by this act, any part of the costs and expenses of which is authorized to be assessed upon the property benefited, the assessments for benefits in every such case shall be exclusively appropriated for the redemption of the bonds so issued and shall be kept separate from the other funds

Provide for interest and maturity.

of such city and devoted exclusively to this use; and it shall be the duty of the city council to provide by taxation in the annual tax levy of such city such sum, in addition to the benefits so assessed, as will be sufficient in every case to provide for the annual interest of the bonds

Sinking fund.

so issued and a sinking fund for the redemption thereof,

which sinking fund shall be not less than two per centum of the amount of bonds so issued for thirty-year bonds, and three per centum for all bonds to be paid in less than thirty years from the date of issue.

Commissioners of sinking fund.

All sinking fund moneys, and all sinking fund securities, now or hereafter belonging to any such city, shall be under the custody and control of three sinking fund commissioners to be appointed by the mayor, subject to confirmation by city council, whose terms of office, duties and compensation shall be fixed by ordinance; *provided, however,* that the city treasurer of such city shall be treasurer of the sinking fund, and all moneys received or disbursed by said sinking fund commissioners shall be received and paid through the city treasurer. The duties and powers of the city comptroller in regard to other departments of the city government shall be exercised in connection with the sinking fund moneys and securities.

Proviso.

MAYOR.

Powers and privileges.

49. The mayor shall be the chief executive officer of such city, and shall possess the powers and privileges, and shall perform the duties which are specified in this act, or which may be prescribed by the laws of the State, or the ordinances of such city, and shall receive such annual compensation for his services as the city council shall, by ordinance, fix and determine, and he shall receive no fees or other compensation whatever. He may appoint such person or persons to aid him in the discharge of his duties as may be prescribed by ordinance; he shall also have a seat in city council, and shall have the privilege of the floor at every meeting of such city council, but shall have no vote therein except in case of a tie.

Compensation.

Assistants.

Seat in council.

Head of police and fire departments.

50. The mayor shall be the head of the police and fire departments, and shall have exclusive power to appoint, suspend and remove all policemen and firemen and all subordinates in such departments, including a superintendent or a chief of police and a chief of the fire department and such captains and sergeants of

police or other police officials and such fire department officials as may be authorized by ordinance; he shall see that all such officers are prompt and faithful in the discharge of their duties, and shall, from time to time, make rules for the government of the police and fire departments, and take such measures as he shall deem necessary for the preservation of peace and good order and the enforcement of the laws and ordinances of the city. He shall sit, from time to time, as a court with summary jurisdiction to hear and try and determine all complaints against any officer or member of the police or fire departments, or other civil service employes; and the city clerk shall act as clerk of such court; all complaints against any such officer or member or other civil service employe shall be addressed to the mayor and shall be filed with the city clerk.

Hearing complaints.

Entire time given to service.

Proviso.

No policeman or fireman in any such city shall engage in or be employed in any other business, profession or calling during his term of office; *provided,* that this shall not apply to policemen or firemen who are employed as substitutes in either of said departments.

Annual message.

51. The mayor shall have the power and it shall be his duty to recommend to the city council at least once each year all such measures connected with the security, health, cleanliness and ornament of the city and the protection and improvement of its government and finances as he shall deem expedient; to keep the corporate seal of the city, to cause the laws of the State and the city ordinances to be fully executed and enforced in such city, and to exercise a general supervision over the official acts of all the subordinate officers of the city, and to report any dereliction of duty of any official or to recommend his dismissal to the city council, and generally to perform all such duties as may be required of him by law or the ordinances of such city; he may, under the direction of the city council, offer rewards (to be paid out of an emergency or other appropriations for that purpose) for the detection or apprehension of the perpetrator of any offense against any city ordinance or any high crime or misdemeanor committed within the city, to be paid out of the city treasury

Enforce ordinances.

Offer rewards.

on the conviction of the criminal; he may also, from time to time, call on any officer in such city, except the city comptroller, for a written detailed report on the work of such officer's department, which report, on the request of the mayor, shall be certified to by the comptroller if found by him to be correct. Call for departmental reports.

52. The mayor, for the purpose of quelling any insurrection, riot, disturbance or disorderly assemblage, shall have the control of the constables, watchmen or other police force of such city and the power to call upon the citizens for aid in all such cases, and when he shall deem it proper, to call on the sheriff of the county, and also on the Governor to order out the national guard and employ the same in quelling such insurrection, riot or disturbance of the peace; or on parades or on the occasion of other public gatherings, when he shall deem it necessary to preserve the public peace and good order, he may appoint, for the occasion, such special policemen as he may deem necessary, and the city council shall provide for their compensation. In case of riot, etc. Special police.

53. All appointments to office made by the mayor under this act, except the appointments of the officers and members of the police and fire departments and other civil service employes, shall be made subject to confirmation by city council, as provided in section fifty-five of this act. Council to confirm appointments.

54. Whenever there shall be a vacancy in the office of the mayor, or whenever the mayor shall be prevented by absence from the city, sickness or any other cause from attending to the duties of his office, the president of city council shall act as mayor and shall possess all the rights and powers of the mayor during such vacancy and until such disability is removed; *provided, however,* that in case of the death, the resignation or removal from office of such mayor, the president of city council shall fill such vacancy only until the first day of January next after the municipal election following such vacancy, at which election said vacancy shall be filled for the unexpired term of such office; *and provided further,* that in case of the death, resignation Vacancies. Proviso. Proviso.

or removal from office of the mayor within such a short time previous to any such election as to prevent a lawful nomination or nominations to fill such vacancy at such election, the president of city council shall continue to fill such vacancy until the first day of January following the next suceeding municipal election; *provided,* that in all cases of a vacancy in such office the person acting as mayor shall receive the salary belonging to that office, but shall not receive any other salary or compensation from said city while so acting.

Proviso.

Mayor's power of appointment.

55. The mayor shall have the sole power of appointment of all heads of departments, heads of sub-departments, and municipal officers not embraced in a department, and of all municipal officers who have a fixed term of office, except the officers of city council and those whose office or offices are created by city council, and those elected by the people, and all special commissioners or boards, except as otherwise provided in this act or by the laws of this State, subject, however, to the confirmation by a majority vote of all members of the city council; *provided,* that such city council shall take action on all such nominations or appointments at the next regular, adjourned or special meeting after the same are sent to it by the mayor. As soon as such city council shall refuse to confirm any such nomination or appointment, the city clerk shall at once notify the mayor in writing of such refusal, whereupon it shall be the duty of the mayor to at once nominate or appoint some other person or persons for such office or offices; *provided,* that on city council's rejection of or refusal to confirm any such nomination or appointment, they shall adjourn the meeting at which such rejection or refusal to confirm takes place for a period of not more than one month and not less than two days, of which adjournment the city clerk shall give the mayor written notice, and at which adjourned meeting said city council shall take action on the second nomination or appointment made by the mayor; and the duties of the said city council and the mayor shall continue to be as above prescribed until the confirmation is had of a nomination or appointment to the particular

Proviso.

If council rejects nominee.

Proviso.

office in question. Laborers and mechanics temporarily needed in any department may be so employed by the head of such department without recommendation to the mayor, or confirmation by city council. Temporary employes.

COMPTROLLER.

56. It shall be the duty of the city comptroller to sign all warrants on the city treasurer, to superintend all fiscal concerns of the city in such manner and to report thereon at such times as the city council shall, by ordinance, direct; to keep separate accounts of appropriations made by the city council to each and every department of the city government and to require each warrant on the treasurer to state particularly against which appropriation the said warrant is drawn; the said officer, on receiving a bill or claim against the city, shall examine the same and if it be for any purpose for which there is no appropriation, or the appropriation for which is exhausted, or to which for any other cause he cannot give his approval, he shall report the fact to the city council and the warrant in such case shall not be signed except by special authority from or direction of the city council, passed by a two-thirds vote of city council over his disapproval; he shall, upon the death, resignation, removal or expiration of the term of office of any officer or person who, by law, may be authorized to receive or disburse the moneys of such city for which said comptroller is acting as aforesaid, audit and examine the accounts of such officer or person and report the condition of his business to the city council; he shall, before signing any warrant on the treasurer, in payment of any claim against such city, first audit the bill containing or making up such claim with a view to ascertain whether the supplies charged to the city or services alleged to have been rendered and furnished have been rendered and furnished as stated and after so auditing shall return the said bill to the department having control of the appropriation against which the warrant is to be drawn; if the comptroller has objections to any bill his objections shall be attached to

Duties of comptroller.

Examination of claims.

Action in case of death, etc.

Audit bills.

If objections.

the bill and submitted with said bill to city council and it shall only be paid as herein provided; the said comptroller shall, as often as he may deem necessary, or as the city council may require, suggest plans to the said city council for the improvement, advantage and better management of the finances of such city; he shall have control of the fiscal concerns of all departments of the city, including the board of health, library and park trustees or boards and of all other boards, commissions or bodies controlling or receiving any public funds of said city, and may require at any time from any and all of its departments and officers a full exhibit of their business and a statement and account in writing of any or all moneys and property of said city within the control or in the hands of said department and officers, and the said comptroller shall immediately, in case of any default, delinquency or official misconduct, report the same to the city council; and in order that he may fulfill his duties and make complete audits of the accounts he shall have power, whenever he shall see fit, to examine all books, papers and vouchers pertaining to any and all departments of the city's business, and shall have free and unrestricted access to them for the purposes aforesaid; and said officer shall also be authorized whenever, in his judgment, the interests of the city shall require, to examine under oath any person presenting a bill or claim against such city for the payment of moneys, and also to examine witnesses and to investigate by other evidence and inquiry all facts relating to such claim which, in his opinion, are necessary to establish the accuracy and good faith of such claim and to ascertain the city's liability therefor; that it shall be deemed a misdemeanor for such officer to sign any warrant or order or otherwise procure the payment of any money from the city treasury not authorized by law.

Control fiscal matters.

Right to examine all records.

All claims to be itemized.

It shall be unlawful to pay out any of the funds of said city for fuel or supplies to any of the city departments, or for enlarging, repairing, furnishing or improving any city property, or to pay any other claim against or debt due by said city, unless the person claim-

ing the money so due shall first present to and file with the city comptroller of said city an itemized bill or claim showing the name of the person to whom the sum is due and the name of the department receiving the supplies or ordering the work done for which the claim is made, or under whose jurisdiction such debt or claim shall arise; every person presenting any such bill or claim shall make an affidavit that the supplies, goods or services, itemized in said bill or claim, have been duly and properly delivered or rendered to such city, and that no bonus, fee or reward has been given or received by any person with the knowledge of the deponent in connection with the said bill or claim, and that the said bill or claim is in all respects correct and true; the city clerk, city comptroller, city treasurer, or any of their assistants, are hereby authorized to take such affidavits without costs.

Affidavit to correctness.

57. The city comptroller's assistant or assistants shall be appointed by city council on the recommendation of the city comptroller.

Assistants.

58. Whenever any bonds shall be issued under the authority of this act it shall be the duty of the city comptroller to keep an account of all such bonds in proper books with the numbers, dates and amounts thereof, when redeemable, the place of redemption, the place where interest shall be paid and when payable, with the title of the ordinance authorizing the same and the names of the person or persons to whom the same shall be issued; and shall make report thereof to the city council from time to time and whenever required so to do; and it shall be the duty of the city comptroller to furnish to the commissioners of the sinking fund a statement showing the amount of every such issue and all the particulars herein required to be recorded as soon as the bonds authorized in any case shall have been issued.

Record of bonds issued.

Report to sinking fund.

CITY TREASURER.

59. The city treasurer shall be head of the city treasury department, and shall receive all moneys belonging to the city, and shall be treasurer of the board of health,

Duties of treasurer.

library and park trustees or boards and of all other boards, commissions or bodies controlling or receiving any public funds of said city, and shall disburse the same as directed by law and shall keep an account of all receipts and expenditures in such manner as the city council shall direct, and shall perform such other duties appertaining to his office as may be required of him by law or by any ordinance or resolution of the city council; the city treasurer shall, at the close of the fiscal year, make out a true and full account of the receipts and expenditures during the year and also the state of the treasury, and within twenty days thereafter deliver said account to the city clerk, who will lay the same before the city council at their next meeting, and said report shall be published in pamphlet form for free distribution at least two weeks before the next election; the city treasurer shall make such further reports from time to time as city council shall direct. His assistant or assistants shall be appointed by city council on his recommendation. He shall be custodian of all deeds, leases, bonds, tax sale certificates or other title papers of the city.

Annual statement.

Custodian of certain papers.

Payments to certain funds.

60. The city treasurer shall pay to the officers entitled to receive the same out of the first moneys which he shall receive from the tax collector on account of current taxes for any year, the amounts of the respective sums assessed or appropriated in such year for the following purposes:

I. State school and county taxes;

II. Amounts appropriated for city schools;

III. Amounts appropriated to the sinking fund;

Proviso.

provided, however, that no moneys shall be paid out by said treasurer for any purpose whatever except upon warrants of the city comptroller therefor.

COLLECTOR OF TAXES.

Office.

61. The office of the collector of taxes shall be kept in the City Hall of such city or such other place as the city council shall designate, and he, or such deputy or deputies as he shall appoint, and such clerks and assistants as city council shall by ordinance provide for, shall

sit at such times and places in such city for the receipt of taxes as may be prescribed by law or the ordinances of such city; and it shall be the special duty of the said collector of taxes to receive all taxes which may be paid, and preserve in his office all duplicate assessment books which shall from time to time be delivered to him by the local board of city assessors or his predecessors in office. He shall be head of the tax collecting department, and his clerks and assistants shall be appointed by city council on his recommendation; *provided, however*, that temporary clerks or assistants to aid him on special occasions, not to exceed three months at any one time, may be appointed by city council on his recommendation; and it shall also be the duty of the collector of taxes to collect all assessments, current and delinquent taxes due to the city, and such proceedings shall be had by the tax collector for the collection of such taxes as are now or may hereafter be prescribed by law, or the provisions of this act, for the collection of such taxes and assessments, and on the first day of January following the election of his successor in office, or as soon thereafter as such successor shall have duly qualified, the rights and duties of the person or persons intrusted with the collection of the taxes or assessments in such city shall cease and determine, and any and all persons having custody of any of the books, records and certificates or other documents of such city, pertaining to such taxes or the collection thereof, shall on said date deliver all such books, records and documents to the tax collector then duly qualified, and each tax collector shall deliver and pay over to the city treasurer, at least once in each week, and immediately at the close of his term of office, all moneys collected by him as such collector; it shall also be the duty of the collector of taxes, on demand, to make searches for all taxes, assessments, certificates of sale and tax deeds or conveyances for delinquent taxes or assessments affecting any property in such city, and to deliver forthwith to the applicant therefor a written certificate, signed by him, certifying that there are no unpaid taxes, assessments, certificates of sale or deeds of conveyances for delinquent taxes or assessments for the year or years

Special duty.

Proviso.

Collect assessments, etc.

Turn over all records to successor.

Make searches.

Fees for searching.

applied for, affecting such land, except such as are shown upon such certificates; he shall be entitled to charge for the benefit of the city the following fees for such certificates of search and no more; for each property as assessed and as shown upon the books in his possession when the application is for the taxes and assessments of one year, twenty-five cents; when the application is for all taxes and assessments against said property or for the taxes and assessments of two or more years, one dollar; such tax collector shall annually, on or before the fifteenth day of February, turn over to the corporation counsel of such city a list of all delinquent real estate taxpayers in such city, the amount of taxes due and owing by such delinquents, and the property against which such taxes have been laid or levied, so that such corporation counsel may properly prepare advertisements for the sale of such property.

List of delinquents.

Deputy collectors.

62. The collector of taxes shall have power to appoint one or more deputies for the collection of delinquent personal taxes, subject to confirmation by city council, who shall have power to do all and every act or acts which it may be lawful for the said collector to do, and every warrant directed to him may be executed by his deputy or deputies, or either of them, in as full and complete a manner as if executed by the said collector of taxes; and the said deputy or deputies shall give such security for the faithful performance of the duties of their respective offices as the city council shall direct, and shall hold office for one year.

Bond and term.

APPOINTIVE OFFICERS.

Method of appointment.

63. All appointments to office in the various departments of said city (except mechanics working at their regular trade, and ordinary day laborers, and appointments made by the mayor) shall be by resolution or ordinance passed by a majority of the members of the city council; and it shall not be lawful for the city treasurer to pay any salary to any person otherwise appointed.

Departments.

64. There shall be in every such city such other departments and department heads as city council may

from time to time by ordinance prescribe. All such department heads shall be appointed by city council for such terms as council may by ordinance prescribe. They shall perform such duties and be paid such salaries as city council may from time to time prescribe. There shall be in every such department, or under such department heads, such clerks and assistants as city council may from time to time ordain and prescribe. All such clerks and assistants in the several departments shall be nominated to city council by the several department heads, and they shall be appointed from time to time by city council on the respective recommendations of such department heads.

Assistants.

65. There shall be in every such city a board of city assessors consisting of five persons, to be appointed by the mayor before twelve o'clock noon on the first day of January next following the date of the adoption of this act by any such city; the first appointments of city assessors hereunder shall be, one for one year, one for two years, one for three years, one for four years and one for five years from the date of their appointment, and thereafter one each year in place of the one whose term expires, so that the terms of office of all assessors after the first appointment shall be five years, these appointments to be subject to confirmation by city council.

Board of assessors.

Terms.

66. The board of city assessors first appointed hereunder shall meet as soon as practicable thereafter and shall select one of their number to act as president for the ensuing year, and a suitable person to act as secretary for the term of three years, and thereafter they shall so select a president each year and secretary every third year; the acts of three members shall be the acts of the board; they shall make such rules and regulations for the transaction of their business as are not inconsistent with this act or any ordinance of such city or with any law of this State; the salary of such assessors and of said secretary shall be fixed by ordinance by the city council; city council may define by ordinance the duties of such secretary, and may, from time to time, increase the number of secretaries or clerks to such boards, define their duties and fix their compensation.

Organization.

Salaries.

Fix valuations.

67. The board of assessors shall have charge of the assessment department, and shall make a full and fair valuation, enumeration and assessment of all the real and personal property in said city according to law.

Board of health.

68. In case in any such city a board of health has been established or shall hereafter be established, members of such board shall be appointed by the mayor from time to time, subject to confirmation by city council;

Proviso.

provided, however, that all members of any board of health in any such city now acting as such shall continue to act as such members of such board of health until the expiration of their present terms of office.

Not hold two offices.

69. No person in such city shall at any time hold more than one office yielding pecuniary compensation to be paid from the treasury of such city; nor shall any salaried county, State or government official be eligible

Proviso.

to hold office in such city; *provided,* that this shall not apply to prohibit officers and enlisted men of the National Guard from holding any city or ward office.

Powers of constables and collector of taxes.

70. The constables elected as herein provided shall respectively possess the powers and perform the duties of the like officers of any township of this State so far as such powers and duties shall be consistent with the provisions of this act; and the collector of taxes shall possess the powers and perform the same duties in such city as the collectors of the several townships do in such townships in so far as such powers and duties shall be consistent with the provisions of this act.

Dismissal of subordinates.

71. The heads of all departments may, from time to time, recommend to the mayor for dismissal on the ground of inefficiency or neglect of duty any or all deputies, assistant clerks, or subordinate employes employed in their respective departments.

Attendance at meetings of council.

72. All heads of departments shall have the privilege of the floor in the city council at its sittings, and shall be present at each meeting, unless excused, to answer inquiries concerning all matters touching their respective departments, but shall have no vote.

Temporary assignment of employes.

73. The mayor or city council, on the request of the head of any department, and with the concurrence of the head of the department where they are, may assign

particular officers and employes to some other department temporarily, and may require any officer or employe to perform duties in two or more departments, and make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city; *provided, however,* that clerical employes shall not be required to do or perform other than clerical work in any department.

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All officers to deliver books and property to successor.

74. It shall be the duty of every officer in such city, upon the expiration of his term of office or his removal therefrom, to immediately deliver to his successor in office or such other person as the city council may designate, all books, records, papers, receipts, vouchers and property of every kind in his possession or under his control belonging to said city, and for a willful refusal to do so he shall be guilty of a misdemeanor.

CIVIL SERVICE COMMISSIONERS.

Appointments from civil service list.

75. I. All appointments hereafter made of any person or persons to the police force or fire department as policemen or firemen, or to the water or highway departments, to the city engineer's department or to any light, heat or power or other public utility department in any such city, shall be made according to merit and fitness, to be ascertained so far as possible by examination conducted as hereinafter provided, which, so far as practicable, shall be competitive; *provided, however,* that all of the qualifications now necessary to any such appointments, as provided by this act or any other law of this State, shall remain in force, and the requirements specified in this act shall be in addition thereto; *provided, also,* that there may be included in the list of civil service employes of such city such clerical assistants and other employes as may from time to time be added thereto by a majority of the civil service commissioners: *provided, also,* that if any city at the time of its adopting this act, has already adopted a general civil service law of this State, such general civil service law shall continue in force in such city regardless of anything in this section contained;

Proviso.

Proviso.

Proviso.

Commission to examine applicants.

II. The mayor of such city shall appoint annually, on the first day of January, three commissioners to examine all applicants for such positions; one of said commissioners shall be a reputable physician, who has practiced as such for at least five years in said city; another of said commissioners shall be either the city superintendent of schools in such city or a male principal of one of the public schools therein, and the third of said commissioners shall be a civil or mechanical engineer residing in said city, and who has had at least five years' experience in his profession or calling. Said commissioners shall examine all applicants for such positions, and they shall receive such salary or compensation as may be fixed by ordinance passed by the city council of such city;

Rules and regulations.

III. The said commissioners shall have power to prescribe, amend and enforce suitable rules and regulations for carrying into effect the provisions of this section.

Clerk of commission.

The city clerk, or one of his assistants, shall be the clerk or secretary of the said commissioners, and shall keep minutes of their proceedings and records of all examinations and other official acts;

Examination and list.

IV. At the time and place fixed for any examination the said commissioners shall examine all persons presenting themselves as candidates for appointment to either of the city departments mentioned in paragraph one of this section whose applications are according to the regulations of the commission, and shall make up and publish a list of all those who shall satisfactorily pass such examination for positions in any such departments, respectively; the names of those who shall pass such examination shall be placed upon such list in order according to the ability shown, which list shall be known as the eligible list, and shall be duly certified by such civil service commissioners as the list of names of those eligible for appointment to such departments, respectively, and shall be filed with the heads of the respective departments for which such eligible list is made up; the records of such examinations and all other papers and documents relating thereto shall be filed with the city clerk, and shall be kept by him always open and ac-

Eligible list.

cessible to the public; all such examinations shall be public and all rules shall be published, and, with all the proceedings and papers connected therewith, shall be at all times subject to the inspection of the public; *provided, however,* that all examinations for the police or fire departments shall include a physical examination as to the fitness of each applicant;

Proviso.

V. All appointments to the several city departments named in paragraph one of this section shall be recommended to the mayor by the respective heads of such departments from such eligible lists, and in making any such recommendations the heads of the said departments shall always, respectively, select one of the three men whose names appear on such list as the first three men eligible to such appointments; when such selection has been made and the person selected appointed by the mayor, the name of the person so appointed shall be stricken off the said list, and all future selections and appointments shall be made in the same manner;

Appointments from eligible list.

VI. No rules shall be made by any such civil service commissioners, and nothing in this section shall be taken or construed so as to take from any policemen or firemen any rights or benefits conferred by any tenure of office act or other law now existing under any lawful rule or regulation of the department in which he serves;

Present tenure not affected.

VII. This section shall not apply to the appointment of any chief or superintendent of police, or fire chief, or chief engineer of any fire department, or head of any police force or fire department by whatever name designated, or to the chief engineer or head of any light, heat, power, street, public utility or water department in such city;

Act does not apply to heads of departments.

VIII. The said civil service commissioners immediately after filing such list or lists shall make a report to the mayor of such city of their acts, the rules and regulations and exceptions thereto which they have promulgated, and any suggestion that they may deem of interest or importance;

Report to mayor.

IX. No civil service examination shall be required under this section of any policeman, fireman or other employe of such city, now holding office in such city, nor

Exceptions.

shall this section be construed to require a civil service examination for any day laborer or temporary employe in the city engineer's department or in any light, heat, power, street, public utility or water department of such city.

JUDICIAL.

Recorder's court

76. There shall be in every city a court to be called "recorder's court of ————" (inserting here the name of such city), to be held by the recorder, which

Powers.

shall have all power, authority and jurisdiction that may be conferred by law or ordinance, and such recorder is hereby empowered to cause any person or persons who shall be found guilty of the violation of any ordinance or regulation of said city or any board or department thereof, and any person or persons found guilty of disorderly conduct, breach of the peace or any other offense within his jurisdiction, and who may refuse to pay any fine or penalty imposed by him by reason of the same, to

Right to imprison.

be sent to the city prison, workhouse or county jail for a term consisting of one day for every dollar of such fine or penalty, not exceeding a term of ninety days, and each day's imprisonment of the defendant or defendants shall be taken to satisfy one dollar of such fine or penalty; and at any time upon the payment to the said court of such fine or the amount remaining due thereon, the said recorder shall issue a warrant for the discharge of

Proviso.

said prisoner; *provided, however,* that nothing in this act contained shall be held to repeal or alter any law of this State concerning any misdemeanor or crime.

Acting recorder.

In case of the absence, sickness or other temporary disability of the recorder, the recorder's clerk shall be empowered to act in his place and stead until such disability is removed or a new recorder appointed.

Court docket.

77. The said recorder shall keep a docket of the proceedings of such court, which docket shall contain the names of the parties and a record of the proceedings in every case; said docket shall be the property of the city and shall be kept in the court-room, subject to the inspection of all persons lawfully entitled thereto, and

all papers in every case (excepting complaints and recognizances required by law to be delivered to the prosecutor of the pleas of the county or grand jury), shall be filed and remain in said court; and no conviction other than the record in said docket shall be necessary in any case.

Service of process.

78. The officers empowered to serve any process issued by such court shall be, besides the constables elected or appointed in such city, the officers or members of the police force of such city, and such process shall be returned in the same manner, as far as circumstances shall permit, as similar processes shall be out of courts for the trial of small causes or before a justice of the peace; and such defendant or defendants shall, if such recorder see fit to adjourn the hearing of the cause and so order, enter into recognizance as near as may be in the same manner as directed in courts for the trial of small causes or before a justice of the peace, in such sum and with such surety as may be approved by such recorder, such recognizance to be given to such city for the appearance of the said defendant or defendants, on the day to which said hearing may be adjourned, and in default of appearance, the said recognizance may be then collected in the same manner as when taken in a proceeding in a court for the trial of small causes or before a justice of the peace; if a commitment shall be issued in any case when the defendant is not in custody, it shall be lawful for such defendant to be taken into custody under such commitment in the same manner as under a warrant and delivered to the keeper of the workhouse, city or county jail, as directed in such commitment; and the policemen of such city shall, in addition to the authority conferred upon them by the ordinances of such city, possess and have all the powers of constables within such city, for the purpose of preserving the peace and enforcing the ordinances of such city, and it shall be the duty of the said policemen, on witnessing any breach of the peace or violation of any of the city ordinances or laws of the State, to forthwith arrest such offender without warrant or process, and take such offender or offenders before the recorder for a hearing.

Adjournments.

Commitments.

Police may arrest without warrant.

Court room, furnishings, etc.

79. The city council of such city shall provide a suitable room or rooms for the transaction of the business of the said recorder's court and procure suitable furniture therefor, and such books and stationery as may be necessary, and such city council shall designate the place in such city where such court shall sit for the transaction of business, and the time during which said court shall be open on each day, to the end that the administration of justice by such court throughout such city may be facilitated and made convenient; and it is hereby made the official duty of such recorder to be in attendance at the time and place so designated; and the mayor shall designate and provide a police officer or officers to attend the sitting of such court and preserve order therein.

When court open.

Court of record.

80. Such court shall be a court of record and shall have an official seal, and all persons shall be amenable to punishment for contempt of said court in the same manner as in other courts of record in this State having power to punish for contempt of court, and such recorder may make such rules as may be necessary for the orderly conduct of business and proceedings in such court; such rules shall be approved by and be subject to revision by the judge of the court of common pleas of the county in which such city is situate.

Arrest and detention of prisoners.

81. The police officers and constables of such city are hereby empowered to arrest and take into custody, without warrant, any offenders against the law and ordinances of the said city, or any person or persons disturbing the peace or quiet of said city; and to carry such offenders before the recorder of said city, who is hereby empowered and authorized to take cognizance of such offenders; or in case the said arrest shall be made during the night, or on the Sabbath day, or when such recorder cannot hear the same or hold his court, to confine such offenders in a jail, or in some other safe or convenient place in said city, until the day following or until such time as the same can be heard, and then without unnecessary delay to carry such offender or offenders before the said recorder, as provided in this act.

Detained in county jail.

The sheriff or jailor of the county in which such city is located, for the time being, shall receive and safely keep all such offenders as shall be committed to the county jail for the term of his, her or their imprisonment.

STREET OPENING.

Notice of intention to open streets.

82. Hereafter, whenever the city council of such city shall determine to lay out and open any street, road, highway or alley in any part of said city, or to cause any street, road, highway or alley already laid out in any part of said city to be vacated, opened, altered or widened, as authorized by this act, the said city council shall give notice to the owner or owners of any lands or real estate, with the appurtenances, necessary to be taken for either of said purposes, and shall proceed in such manner therein as may be directed or required by law or ordinance.

Assessment for benefits.

83. The proper officer or officers shall also assess against the owner or owners of any land or real estate, in the vicinity of or fronting on any such street, road highway or alley, so determined by said city council to be laid out, vacated, opened, widened or altered, the amount that such owner or owners will be benefited by laying out, vacating, opening, widening or altering any such street, road, highway or alley; and said assessment shall be and remain a lien on the said lands and real estate of such owner or owners respectively from the time of the confirmation thereof until the same be paid and satisfied, and the amount of all such assessments for benefits may be collected by said city from the owners and lands so liable, in the same manner as taxes and other assessments in said city are authorized to be collected.

Assessment a lien.

Notice to unknown owners.

84. In case the owner or owners of any land or real estate necessary to be taken for or which may be benefited by the laying out, opening, vacating, altering or widening any street, road, highway or alley in the said city, shall be *non compos mentis,* or out of the State, or cannot be ascertained on reasonable inquiry, and no

agents or legal representatives of such owner or owners can, on like inquiry, be found in this State, then it shall be lawful to give all necessary notices by printing in at least one of the newspapers published in said city, for the space of two weeks, at least once in each week, a notice of the intention of the city to take such land or real estate and appropriate it for such street, road, highway or alley.

Oath of officials.

85. The said commissioners or other officers appointed, before they enter upon the execution of the duties required of them, shall be sworn or affirmed to make the estimate and assessment submitted to them, fairly and impartially, according to the best of their skill and judgment.

Meeting of commissioners.

86. There shall be appointed a time and place within the said city for the said commissioners or other officers to meet, notice whereof shall be given at least ten days before the time of meeting, which notice shall specify the street, road, highway or alley proposed to be laid out, opened, vacated, altered or widened, the alterations proposed to be made, and the lands or other real estate, with the appurtenances, intended to be taken for such purposes, and said notice shall be served upon each of the owners whose property is to be taken or benefited who reside in said city, or whose place of residence is known; and if the place of residence of any such owner that is known be not in said city, a notice placed in the post-office, directed to him or her, at his or her last known post-office address or place of residence, shall be sufficient notice, and the said commissioners or other officers, or a majority of them, when met, shall have power to swear and examine witnesses, and shall view the premises if necessary, and make a just and true estimate and assessment as herein provided, and make and sign a certificate of such estimates and assessments, and file the same with the clerk of said city, and the same being confirmed by the city council shall be binding and conclusive upon the owner or owners of any such lands or other real estate, with the appurtenances, subject only to the appeal hereafter given; and upon payment of the damages so awarded,

Notice served on owners.

Witnesses.

Confirmed assessment binding.

or a tender or refusal thereof, it shall be lawful for the commissioners to cause the said land, or other real estate, with the appurtenances, to be converted and used for the purposes aforesaid; *provided, however,* that any person or persons conceiving himself, herself or themselves aggrieved by the proceedings of the city council or the said commissioners may appeal therefrom to the Supreme Court of this State, within thirty days from the time of making the final order of the city council; and the said Supreme Court shall order a trial by jury to assess the damages sustained by the party aggrieved and the amount such party will be benefited, the trial whereof shall be conducted as in other cases of trial by jury.

Proviso; right of appeal.

87. In case of the resignation, death or disability of any of the commissioners to be appointed under the one-hundredth section of this act, it shall be lawful for the said city council to supply by appointment the vacancy or vacancies caused by such death, resignation or disability.

Vacancy filled by council.

88. In case of non-payment on demand of any damages assessed, as aforesaid, with interest from the date of assessment, in case of no appeal to the Supreme Court aforesaid, the person or persons entitled thereto may sue for and recover the same from the said city in an action on contract, with costs, in any court having cognizance thereof; and the said proceedings of the commissioners and city council, or award of said jury, shall be conclusive evidence against the defendants.

Persons entitled to sue.

BOARD OF ESTIMATES.

89. In every such city the city council shall appoint one of its members who, with the mayor, the city comptroller, the president of city council and the city treasurer, shall constitute a board to be known as the board of estimates of such city; the appointment of such member of council to said board shall be made annually, during the month of January; the city clerk of such city shall be secretary of such board of estimates, but shall receive no compensation as such.

Board of estimate—how composed.

Itemized statement of estimated expenses.

90. In each year, on or before the fifteenth day of the month immediately preceding the beginning of the next fiscal year, the heads of the several departments of such city shall prepare and deliver to each member of said board of estimates an itemized statement, in writing, of the amount of money estimated to be necessary for the current expenses of the various departments of such city, and for repairing, furnishing, maintaining and operating the city hall, city water works, and all other works and buildings and property of such city, and of the other moneys to be raised under section thirty-two of this act; the city treasurer shall also furnish to each member of said board of estimates a written statement of the amount of unappropriated cash on hand belonging to the said city on the fifteenth day of such month in each year; and the city comptroller shall furnish on or before the same day in each year to said board of estimates an itemized statement of the probable receipts for the coming fiscal year of such city, outside of the receipts for moneys to be raised by taxation.

Other facts laid before board.

Appropriation fixed.

91. In each year, between the fifteenth and the twentieth day of the month mentioned in the preceding section, said board of estimate shall fix and determine the amount of money necessary to be appropriated for the current expenses of the various departments of such city, and for repairing, furnishing, maintaining and operating the city hall, city water works and all other works and buildings and property of such city, and for all other purposes mentioned in section thirty-two of this act. The said board of estimate shall, in such month in each year, on or before the stated meeting of city council for said month, make two certificates of said amount, signed by at least three of the members of said board, one of which certificates shall be delivered to the city clerk, who shall present the same to the city council of such city, and the other to the board of assessors of such city; said city council shall, upon receipt of said notice, appropriate by ordinance the amount so certified as aforesaid, and said amount shall be assessed, levied and collected according to the laws of this State.

Estimates furnished council and assessors.

Procedure to secure land.

92. Whenever the city council shall decide that it is necessary to raise money for the purchase of lands for municipal purposes, or for erecting, equipping, enlarging, repairing or furnishing its water works, fire houses, or for other public works or improvements, it shall prepare and deliver to each member of the board of estimates of such city a statement of the amount of money estimated to be necessary for such purpose or purposes. Said board of estimates shall thereupon fix and determine the amount necessary for such purpose or purposes, and shall make two certificates of such amount, one of which certificates shall be delivered to the city council, and the other to the finance committee of such city having charge of the finances in such city. Said city council of such city may appropriate such sum or sums for such purpose or purposes, or any portion of such sum or sums as they may deem expedient, in the same manner as other appropriations are made by it, and said sum or sums shall thereupon be raised, assessed, levied and collected at the same time and in the same manner as moneys appropriated for other purposes in such city are raised, assessed, levied and collected, or said city council of such city 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 by the issue of bonds in the corporate name of such city. Bonds so issued shall be designated "improvement bonds of (here insert the name of the city adopting this act)" shall be of such denomination as said council of such city by ordinance may determine, and shall 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 city council of such city. The proceeds of the sale of such bonds shall be deposited with the treasurer of such city, and shall be paid out only on the warrants or orders of the city comptroller; *provided,* that the total amount of bonds for the purposes named in this section, including bonds theretofore issued for such purposes, and not redeemed, shall not exceed at any one time a sum equal to

Board of estimate to fix amount.

Council to appropriate.

Bonds may be issued.

Proviso.

Limit to total issue.

fifteen per centum of the taxable valuation of the real and personal property in such city, nor shall it exceed the amount recommended by the board of estimates in any one case.

BOARD OF CONTRACTS.

Board of contracts, how composed.

93. All bids made to such city for supplies or work for any purpose whatever, unless otherwise provided in this act, shall be addressed to and be opened by a board, or a majority of them, to be known as the board of contracts, consisting of the mayor, who shall be president of the same; the city comptroller, the head of department for which the expenditure is to be made, or if there be no such head, then, in his place, the city treasurer, the city engineer, and the chairman of the committee at whose suggestion it is being made, or, if there be no such committee, then, in his place, the president of city council, which board, or a majority of them, shall, after opening said bids as required by law, if such expenditure shall be deemed necessary by such board, award the contract thereon to the lowest responsible bidder after the report to and approval by city council. The successful bidder shall promptly, within the time mentioned in the advertisement soliciting such bid, execute a formal contract to be approved as to its form, terms and conditions by the corporation counsel, which contract shall be signed on behalf of the city by the mayor, and attested by the city clerk, and such bidder shall also execute and deliver to the mayor of such city a good and sufficient bond, to be approved by the mayor, in double the amount of the contract price for which the award is made. To all such bids there shall be attached a certified check of the bidder, or a cash equivalent, and the bidder who has had the contract awarded to him and fails to promptly execute the required contract and bond shall forfeit said check or cash. The said check or cash shall be taken and considered as liquidated damages, and not a penalty, for the failure of the said bidder to execute said contract and bond. The amount of said check or cash shall not be less than one hundred dollars, unless otherwise pro-

Award.

Contract signed.

Surety.

If contractor fails to act.

vided by ordinance, or by an order or regulation of the department for whose use the bids are made and the contract entered into. The checks or cash deposits of the unsuccessful bidders shall be returned to them by the city treasurer, in whose custody they shall be placed by the board of contracts, after opening the bids and awarding the contract to the successful bidder.

Checks returned to unsuccessful bidders.

94. The signatures to the petition mentioned in section thirty-three need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make an oath before an officer competent to administer oaths that the statement therein made is true as he believes, and that each signature to the paper appended is the genuine signature of the person whose name it purports to be. Within two days from the date of filing such petition the city clerk shall examine, ascertain whether or not said petition is signed by the requisite number of qualified electors, and he shall attach to said petition his certificate showing the result of said examination. If, by the clerk's certificate, the petition is shown to the insufficient, it may be amended within two days from the date of said certificate.

Preparation of petitions.

The clerk shall, within two days after such amendment, make like examination of the amended petition, and if this certificate shall show the same to be insufficient, it shall be returned to the person filing the same, without prejudice to the filing of a new petition to the same effect. If the petition shall be deemed to be sufficient, the clerk shall submit the same to the city council without delay.

Amended petition.

If the petition shall be found to be sufficient the city council shall order and fix a day for further consideration of said ordinance not less than ten days or more than forty days from the date on the clerk's certificate to the city council that a sufficient petition is filed.

Action by council.

95. The title of such city in and to its water front, wharf property, land under water, public lands, wharves, docks, highways, avenues, streets, lanes, alleys and parks, as well as all other city property, is hereby de-

Title to city property inalienable.

clared to be inalienable; *provided, however,* that nothing in this section contained shall prevent such city from disposing of any building or parcel of land no longer needed for public use, but such disposition shall be made at public sale and be provided for by ordinance, passed by a two-thirds vote of council and approved by the mayor; *provided further,* that nothing herein contained shall prevent such city from renting or leasing for fixed and limited terms not exceeding in any one case a term of five years, unless by public sale to the highest bidder, and in no case exceeding ten years, any of its property not needed for public purposes, such renting or leasing to be provided for by ordinance; *provided, also,* that neither the water works nor water works plant or plants, nor any other public utility plant or plants, shall be sold or leased by such city, until such sale or lease is assented to by a majority of the legal voters of such city voting at an election to be held in such city at a time to be fixed by the city council or other legislative body of such city, which election shall be conducted, as near as may be, according to the provisions of the last section of this act, and the question to be submitted to the voters of such city at any such election shall be "for" or "against the sale" or "lease" (as the case may be) "of (here insert the name or a short description of the plant or other property so to be sold or leased);" *provided, also,* that nothing in this section contained shall be construed to modify any of the provisions of paragraph twenty-eight of section twenty-seven of this act; *provided, however,* that nothing in this section contained shall be construed as prohibiting any such city from disposing at public or private sale, as now permitted by law, of any property which said city may have acquired under the tax laws of this State.

Proviso.

Proviso.

Proviso.

Proviso.

Proviso.

Expenditures over $200.

96. In contracting for any public work or the purchase of any supplies or materials involving an expenditure of two hundred dollars or more, for such city or by or for any of the city departments, sub-departments or municipal officers not embraced in a department, or by or for special commissions or boards, unless other-

wise provided in this act, proposals for the same shall be first advertised for in one or more daily or weekly newspapers published in such city, for not less than two nor more than twenty days and for not less than two insertions of such advertisement.

Awarding contracts.

The contract for doing said work or furnishing said supplies or materials shall be awarded by the board as provided for in section ninety-three of this act, and in the mode and manner as therein prescribed. Contracts for expenditures of the city moneys for any public work or for the purchase of supplies or materials involving an expenditure of under two hundred dollars for such city, or any department board or officer thereof, shall be made in the manner to be provided by ordinance. No individual contract shall be divided or subdivided for the purpose of bringing the same under the provisions of the limit fixed by this section.

Present officials to complete terms.

97. The mayor, city treasurer, city comptroller, corporation counsel, street or highway commissioner, city engineer, city clerk, recorder, recorder's clerk, chief engineer of the water department and collector of taxes, who are now acting in such official capacities, as well as all clerks, assistants and other officers and employes of such city now holding office in such city, shall continue to serve for the full term or terms for which they were severally elected or appointed, as though they had been elected or appointed under the provisions of this act, except as in this act otherwise provided; *provided, however,* that at the expiration of their several terms of office, their successors in office, unless such office be abolished or consolidated with some other, as herein provided, shall be elected or appointed under and according to the provisions of this act.

Proviso.

Existing laws to apply, when not inconsistent with this act.

98. All laws, general or special, in such city, except where the particular subject-matter thereby regulated is otherwise provided for in this act, or where the provisions of such laws are inconsistent with or repugnant to the provisions of this act, shall remain and continue in force, and all powers conferred and duties imposed thereby upon the governing body or any municipal officer or board or department thereof, shall apply to and

be conferred upon all officers, boards, departments and bodies created and officers, boards, bodies or departments to be elected or appointed under the authority of this act having like or corresponding powers or duties.

Publication of revised ordinances.

99. Whenever the city council shall cause a revision of the ordinances of the city to be made, and shall direct the same to be published in a printed volume, it shall not be necessary to publish such revised ordinances in any newspaper or newspapers.

Effect of adopting this act.

100. Any city adopting the provisions of this act shall hold, possess, enjoy and be absolutely vested with all the rights and property now belonging to such city, and shall be responsible for and liable to all contracts, debts and obligations heretofore issued or executed on behalf of such city.

Ordinances to remain in force.

101. All valid ordinances heretofore passed in any such city, and not repealed, and which are in full force and effect in such city at the time of the adoption of the provisions of this act by any such city, shall remain in full force and effect in such city except as they may be altered, amended or modified by this act, until repealed, altered or amended according to the provisions of this act.

Constitutionality of provisions.

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

Referendum.

103. This act shall take effect immediately, but its provisions shall remain inoperative in any city of this State until assented to by a majority of the legal voters thereof voting at an election to be held in such city at any time to be fixed by the city council or other legislative body of such city, or whenever at least ten per centum of the legal voters of such city, as shown by the election returns of the last general election in such city, shall, by their petition, duly signed and delivered to the clerk of such city, have requested that such question shall be so submitted; of which election the city clerk of such city shall cause public notices of the time and place of holding the same to be given by advertise-

Petition for submission.

Notice of election.

ments signed by himself and set up in at least twenty public places in such city and published in two or more daily newspapers printed or circulating therein for at least six days previous to the time of 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. The proposition so to be submitted shall be printed on said ballots and underneath the name or names of the candidate or candidates, if any, at such election to be voted for, with appropriate instructions to the voter in the following form:

Proposition submitted.

Form of proposition.

> If you favor the proposition printed below, make an (X) mark in the square opposite the word "Yes;" if you are opposed thereto, make an (X) mark in the square opposite the word "No."

Shall the Act of 1912, providing a new charter for this city, be adopted?	Yes.	
	No.	

Counting the ballots.

If the voter makes an (X) mark in black ink or black pencil in the square opposite the word "yes," it shall be counted as a vote in favor of said proposition. If the voter shall make an (X) mark in black ink or black pencil in the square opposite the word "no," it shall be counted as a vote against such proposition, and in case no mark shall be made after the word either "yes" or "no," it shall not be counted as a vote either for or against such proposition; submission may be made at a special election to be held for this purpose as above provided, or at any general or municipal election held in such city, and if any such election shall result in its rejection, it may be re-submitted at any time after three years from the date of such rejection in the same manner at any general election thereafter; and the city clerk shall, in case voting machines are used at such election in any election district of such city, place on such machines the question to be voted

If rejected, when re-submitted.

for under this section, as required by the provisions of the aforesaid voting machine act of the Legislature of this State; if submitted at a special election such election shall be held at the usual places of holding the annual election in such city; and the polls shall be open at six o'clock in the forenoon and close at seven o'clock in the afternoon; every such election shall be conducted by the proper election officers of such city for the time being and in the manner prescribed by law regulating elections therein, and such officers shall return to the city clerk of such city a true and correct statement, in writing, under their hands, of the result of said election, and it shall be the duty of the city clerk to certify and report the same to the city council or other legislative body of such city or municipality at its first meeting thereafter and the same shall be entered at large in the minutes of said body; whereupon, if it is found that a majority of the votes cast at any such election and voting on such proposition are in favor of the adoption of this act, this act shall, on the first day of January following such election, 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, and shall abrogate, repeal and annul all acts and parts of acts then existing, whether general or special, in anywise affecting the government of such city which are contrary to or inconsistent with the provisions of this act; *provided, however,* that the total number of votes cast in favor of the adoption of this act shall not be less than thirty per centum of the votes cast for members of the General Assembly at the last general election in said city immediately preceding the submission of this act as aforesaid; *and also provided,* that this act shall not abrogate, repeal or annul an act entitled "An act concerning district courts" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, or any supplements thereto or amendments thereof; 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

How election conducted.

If adopted, when to take effect.

Proviso.

Proviso.

nine hundred and three, or any supplement thereto or amendment thereof; or an act entitled "An act to establish an excise department in cities of this State," approved April eighth, one thousand nine hundred and two, or any supplements thereto or amendments thereof.

Passed April 16, 1912.

CHAPTER 406.

An Act to amend an act entitled "A supplement to an an act entitled 'An act to provide for the appointment of police justices in cities of the first class,' passed May eighteenth, one thousand eight hundred and ninety-four," which said supplement was approved March twenty-second, one thousand eight hundred and ninety-five.

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

Section 1 amended.

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

Salary of judges and clerks in lieu of fees.

1. The common council, board of finance, or other board or body having charge and control of the finances of any city in which courts are established by the act to which this act is a supplement shall have the power by resolution to fix the annual salary of the judges of said courts, and the annual salary of the clerks, to be paid monthly in the same manner that other officers of such city are paid; and upon the adoption of such resolution, all fees now by law payable to such judges and clerks shall be paid into the city treasury for the use of the city, and thereafter the judges and clerks of such courts shall not be paid any fees or compensation other than the salaries herein provided for.

Repealer.

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

Passed April 16, 1912.

CHAPTER 407.

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:*

Filling vacancies.

1. Whenever any vacancy shall hereafter occur in the office of member of the board of street and water commissioners otherwise than by the expiration of the term of a member, such vacancy shall be filled at the next general or State election, and not otherwise.

Repealer.

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

Passed April 16, 1912.

CHAPTER 408.

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, nineteen hundred and seven.

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

1. The third section of the 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, nineteen hundred and seven, be and the same is hereby amended so as to read as follows: Section 3 amended.

3. Whenever such city shall have acquired lands or rights in lands for the purpose of constructing and establishing docks and shipping facilities, it shall, through said board or body, have full authority to construct wharves, piers, bulkheads and structures thereon and in the water adjacent thereto, and slips, basins, docks, wagon roads, railroads, bridges and other facilities for transportation and shipping, and shall have full authority to fill in said lands and make and construct waterways upon or over said lands reaching to the main channel of said navigable waters upon which said lands front, and may also acquire additional lands for the Authority to construct wharves, basins bridges, etc. Make fills.

Connecting roads.

purpose of connecting said docks with the highways and railroads within the city and other public docks, if any, of the said city, or for reclamation, filling in, and use of the same, and may upon the additional lands so acquired construct waterways, railroads, highways and bridges, or may fill in and reclaim or otherwise improve the same and likewise construct thereon all other appliances necessary or convenient for the purpose of affording proper and convenient access to said docks from the railroads and highways and other docks in said city, and upon lands adjacent to said waterways, railways, railroads and highways to erect wharves, docks and other structures proper or necessary for the furnishing of docking and shipping facilities; *provided,* that not more than two million dollars shall be spent by the board or body having charge of public docks in any city under the authority of this act.

Proviso

2. This act shall take effect immediately.

Passed April 16, 1912.

CHAPTER 409.

An Act to amend an act entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" which act was approved June fourteenth, eighteen hundred and ninety-eight, and which supplement was approved March sixteenth, nineteen hundred and nine.

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

Section 1 amended.

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

Stenographer to clerk of grand jury.

1. In any county of the first and second class in this State the justice of the Supreme Court holding the cir-

cuit of such county may designate some person who is a competent stenographer and who is regularly employed in the office of the prosecutor of the pleas of such county, at a stated salary, to act as assistant to the clerk of the grand jury of such county, in addition to his regular duties in said office; and it shall be lawful, when requested by the grand jury, for the person so designated to attend the sessions of the grand jury, and take minutes of the evidence there adduced; *provided,* the person so designated shall not be entitled to any extra compensation for his services as assistant to the clerk of the grand jury. Proviso.

2. This act shall take effect immediately.

Passed April 16, 1912.

CHAPTER 410.

A Supplement to an act entitled "An act concerning turnpikes and to regulate the toll for automobiles and other motor vehicles on the same," approved April seventh, one thousand nine hundred and five.

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

1. The act to which this act is a supplement shall not apply to any turnpike company incorporated under an act of the Legislature of New Jersey entitled "An act to authorize the formation of turnpike corporations and regulate the same," approved March tenth, one thousand eight hundred and eighty. Exception to act.

2. This act shall take effect immediately.

Passed April 16, 1912.

CHAPTER 411.

An Act to divide the State of New Jersey into districts for the purpose of electing members of the House of Representatives of the United States, and prescribing the boundaries of such districts.

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

Congressional districts.

1. For the purpose of electing members of the House of Representatives of the United States to serve in the sixty-third Congress and each subsequent Congress, this State shall be divided into twelve districts as follows, namely:

First. The counties of Camden, Gloucester and Salem shall constitute and be called the first district;

Second. The counties of Cape May, Cumberland, Atlantic and Burlington shall constitute and be called the second district;

Third. The counties of Middlesex, Monmouth and Ocean shall constitute and be called the third district;

Fourth. The counties of Hunterdon, Somerset and Mercer shall constitute and be called the fourth district;

Fifth. The counties of Union and Morris shall constitute and be called the fifth district;

Sixth. The counties of Bergen and Sussex and Warren and the townships of Pompton and West Milford in the county of Passaic, shall constitute and be called the sixth district;

Seventh. The county of Passaic, except the townships of Pompton and West Milford in the said county, shall constitute and be called the seventh district;

Eighth. The eighth, eleventh and fifteenth wards of the city of Newark, the towns of Belleville, Bloomfield and Nutley, all in the county of Essex, and the towns of Harrison and Kearney, the borough of East

Newark, the seventh ward of the city of Jersey City, and the city of Bayonne, all in the county of Hudson, shall constitute and be called the eighth district;

Ninth. The cities of East Orange and Orange, and the first, third, sixth, seventh, thirteenth and fourteenth wards of the city of Newark, all in the county of Essex, shall constitute and be called the ninth district;

Tenth. The second, fourth, fifth, ninth, tenth, twelfth and sixteenth wards of the city of Newark, the towns of Irvington, Montclair and West Orange, the boroughs of Caldwell, Essex Fells, Glen Ridge, North Caldwell, Roseland, Verona, West Caldwell, and the townships of Caldwell, Cedar Grove, Livingston, Millburn, South Orange and the village of South Orange, all in the county of Essex, shall constitute and be called the tenth district;

Eleventh. The townships of Weehawken and North Bergen, the towns of Guttenberg, West Hoboken, West New York and Union, and the borough of Secaucus, the city of Hoboken and the second ward in the city of Jersey City, all in the county of Hudson, shall constitute and be called the eleventh district.

Twelfth. The first, third, fourth, fifth, sixth, eighth, ninth, tenth, eleventh and twelfth wards of Jersey City, all in the county of Hudson, shall constitute and be called the twelfth district.

Interpretation.

In the interpretation of this act all reference to counties, cities, boroughs, townships, wards, election districts, and other municipal divisions shall be taken to refer to such municipal divisions as they existed on the first day of January, A. D. nineteen hundred and twelve.

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.

Passed April 16, 1912.

CHAPTER 412.

ASSEMBLY COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 14.

STATE OF NEW JERSEY.

An Act to amend an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven, by adding a section concerning the safeguarding and removal of railroad crossings and the payment of the cost thereof.

Wallace Zeliff Mar 29 1912 Supervisor of Bills Assembly.

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

1. The act to which this is an amendment is hereby amended by adding thereto, after section twenty-two thereof, a new section, to be section twenty-two-a, to read as follows: Section added.

Thomas F. McCran Mar 29 1912 Speaker

22a. The governing body of any municipality within which a highway crosses or is crossed by a railroad, or any railroad company whose road crosses or is crossed by a highway, may bring its petition in writing to the board, alleging that public safety requires an alteration of such crossing, its approaches, the location of the highway or crossing, the removal of obstructions to the sight, or the substitution of a crossing not at grade, and praying that the same may be ordered; whereupon the board shall appoint a time and place for hearing the petition, and shall give such notice thereof as it deems reasonable to persons and parties in interest, and after such hearing, shall determine what alterations, Petition relative to crossings. Notice of hearing.

Thomas F. McCran Apr 16 1912 Speaker

changes or removals, if any, shall be made and by whom and shall pass upon and approve plans therefor; *provided, however,* that where more than one such application or petition shall have been made by a municipality or municipalities against a railroad company, the said board shall determine the order of such alterations, changes or removals as between such applying municipalities and the time within which they shall be made, having regard to the relative danger of the crossings, the convenience of the public travel and the most expeditious elimination of such crossing, without undue injury to the railroad company. If such petition is brought by a railroad company, the board shall order the expense of the alterations, including property damages, to be paid by the company, except that where a street railway company uses the crossing, the board may order not exceeding ten per centum of the said total expense of the work directly chargeable to the crossing used by the street railway company to be paid by the street railway company, the balance to be paid by the railroad company; if such petition is brought by a municipality, not exceeding fifteen per centum of the expense, inclusive of such property damages, may be ordered paid by the municipality, unless a street railway company uses the crossing, in which event the board may order not exceeding fifteen per centum to be paid by the municipality, and not exceeding ten per centum of the cost of the work directly chargeable to the crossing used by the street railway company to be paid by the street railway company, the balance to be paid by the railroad company. Every company which operates a railroad in this State shall, within three months after this act takes effect, and within the same period yearly thereafter, remove or apply for the removal of one grade crossing for every thirty miles or fraction thereof of road operated by it in the State, exclusive of switches, sidings, yardage and side tracks, which crossings so to be removed shall be those which are among the most dangerous upon the lines

Proviso.

Proportion of of expenses met by railways.

Wallace Zeliff Mar 29 1912 Supervisor of Bills Assembly

By municipality.

Thomas F. McCran Mar 29 1912 Speaker

Annual removal of grade crossings.

Thomas F. McCran, Apr 16 1912 Speaker

operated by it; and if any company fails so to do, the board shall, where in its opinion public safety requires, order such crossing or crossings removed as in its opinion the company should have applied to remove under the above provisions, and the said board in so doing shall proceed in all respects as if the company had voluntarily applied therefor; *further provided, however,* that removals of grade crossings under the provisions of this section by any company in any year, in excess of the minimum number required, shall be applied as a credit the following year or years; *and provided further,* that when the governing body of the municipality shall object, by resolution, to any elimination of grade crossings within its boundaries, there shall be no such elimination undertaken or ordered until such resolution is rescinded. Where a railroad crosses another railroad at grade, or different branches of the same road cross at grade, the board may, on petition of either company, or of its own motion, order the crossing removed under the above provisions, the expense to be apportioned between the companies affected as the board shall determine. This act shall not take away any remedy now existing, or release, cancel or annul any duty or obligation imposed by the charter of any railroad company.

Board may act on failure of company.

Proviso.

Proviso.

Roads crossing each other.

Wallace Zeliff Mar 29 1912 Supervisor of Bills Assembly

Obligations not lessened.

Thomas F. McCran, Mar 29 1912 Speaker

If any portion or portions of this section shall be declared unconstitutional or invalid for any reason the remainder shall not be affected thereby.

Constitutionality.

The board shall have full and ample power to make all necessary or convenient rules and orders to carry out the purposes and intents of this section.

Rules and orders.

Thomas F. McCran, Apr 16 1912 Speaker.

2. This act shall take effect September 1st, 1912.

(Jurats attached to the foregoing bill.)

A. C. S. for S. C. S. Senate 14.

HOUSE OF ASSEMBLY No. —

HOUSE OF ASSEMBLY,
March 28th, 1912.

This bill having been three times read in the House of Assembly,

Resolved, That the same do pass.

By order of the House of Assembly.

THOMAS F. McCRAN,
Speaker of the House of Assembly.

Wallace Zeliff, Mar 28 1912 Supervisor of Bills Assembly

Thomas F. McCran, Mar 27 1912 Speaker

SENATE,
.....1912.

This bill having been three times read and compared in the Senate,

Resolved, That the same do pass.

By order of the Senate.

.....
President of the Senate.

HOUSE OF ASSEMBLY,
March 29th, 1912.

This bill having been three times read in the House of Assembly,

Resolved, That the same do pass as amended.

By order of the House of Assembly.

THOMAS F. McCRAN,
Speaker of the House of Assembly.

John D. Prince, Mar 28 1912 President

Wallace Zeliff, Mar 29 1912 Supervisor of Bills Assembly

Thomas F. McCran, Mar 29 1912 Speaker

Thomas F. McCran, Apr 16 1912 Speaker

SENATE,
Mar. 28, 1912.

This bill having been three times read and compared in the Senate,

Resolved, That the same do pass as amended.

By order of the Senate.

JOHN DYNELEY PRINCE,
President of the Senate.

(Governor's reasons for vetoing foregoing bill, and filed with it.)

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT.

April 11, 1912.

To the House of Assembly:

I take the liberty of returning, without my signature, Assembly Committee Substitute for Senate Committee Substitute for Senate Bill No. 14, entitled "An Act to

amend an act entitled 'An Act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers', approved April twenty-first, one thousand nine hundred and eleven, by adding a section concerning the safeguarding and removal of railroad crossings and the payment of the costs thereof.'

I know the seriousness and great consequence of the question affected by this important measure. There is a demand, well grounded and imperative, throughout the State that some practicable legislation should be adopted whereby the grade crossings of railways which everywhere threaten life and interfere with the convenience of both city and rural communities, should as rapidly as possible be abolished. But there is certainly not a demand in New Jersey for legislation which is unjust and impracticable.

The first part of this bill, which provides for the handling of this difficult question of the elimination of grade crossings by the Board of Public Utility Commissioners, is excellent both in method and in purpose and suggests a way by which the whole matter can be successfully handled; but that portion of the bill which arbitrarily provides that every railroad of the State shall every year eliminate at least one grade crossing on its line for every thirty miles of its whole extent, the Commission to determine which crossings shall be dealt with first, seeks to accomplish an impossible thing. It is not possible thus to lay down a hard and fast rule, and enforce it without a likelihood of bringing on conditions under which the whole undertaking would break down and result in utter disappointment.

The circumstances which surround this problem are not the same for any two railways of the State, but what might be a reasonable enough requirement for one of the railway systems of the State might be a very unreasonable requirement for another, leading to an impossible situation and breakdown of the law, and that is certainly not the purpose of the people of this State. The bill does not forbid the creation of new grade crossings, neither does it attempt any classification of

those already in existence. I take the liberty of quoting the following from the "Comments of the Board of Public Utility Commissioners on Grade Crossings" in the report of the Board for the year 1911:

> "After a classification of crossings has been made on the basis of the relative danger they create, there arises the engineering problem of the cost of elimination. This will, of course, vary widely in different localities. It is equally true that a great difference exists in the financial ability of the different carriers to provide funds for defraying the requisite expense. This is wholly apart from the question whether the carriers, including trolley companies, are to be required to bear the whole cost or only a part thereof. Moreover, many other factors enter to complicate the matter. The elimination of grade crossings may adversely affect adjacent property. If, for example, tracks are elevated in eliminating a crossing at grade so as to transform a street into a blind alley, the loss of immediate accessibility may result in depreciating the property on the street in question. Similarly the construction work might often require a relocation of sewers or pipe-system to the financial detriment of a municipality, a public utility or an individual. These things tend to increase the cost of grade crossing elimination, which, as a State-wide proposition, must be very great."

This quotation makes very clear the possible complexity and engineering difficulty of the whole matter.

What is needed is an adequate enlargement of the powers of the Board of Public Utility Commissioners. That Board can be empowered, and should be empowered, to push the elimination of such crossings as fast as it is possible to push it without bringing hopeless embarrassment upon the railways. The law could easily establish a principle by which it might be determined when it was equitable that the several communities affected should participate in the expense and to what extent, if any, they should participate. In this way all the results that could possibly be attained by

the present bill would be attained without the risk and perhaps the discouragement and discredit of attempting a thing, in itself inequitable and impracticable.

The non-enactment of this bill into law will, of course, be a serious disappointment to the people of the State, but it will only concentrate their attention upon the just and equitable way of accomplishing the end in view. I do not believe that the people of the State are in such haste as to be willing to work a gross injustice, either to the railroads or to private owners of the property or to the several communities affected.

Respectfully,

WOODROW WILSON,
Governor.

(Jurats and certifications attached to the foregoing bill.)

Assembly Com Sub. for Senate
Com. Sub for Senate No. 14
HOUSE OF ASSEMBLY No. —

HOUSE OF ASSEMBLY,
April 16th, 1912.

Wallace Zeliff Apr 16 1912 Supervisor of Bills

This bill having been returned by the Governor, with his objections to the House of Assembly, in which it originated, and the objections having been entered at large on the minutes of the House of Assembly, the House of Assembly proceeded to reconsider said bill; and

Thomas F. McCran, Apr 16 1912 Speaker

Resolved, That the same do pass, the objections of the Governor to the contrary notwithstanding.

Wallace Zeliff, Mar 29 1912 Supervisor of Bills Assembly.

By order of the House of Assembly.

Thomas F. McCran, Mar 29 1912 Speaker

THOMAS F. MCCRAN,
Speaker of the House of Assembly.

SENATE,
.....1912.

This bill having been sent to the Senate by the House of Assembly, together with the objections of the Governor thereto, and the said bill having been reconsidered by the Senate,

Resolved, That the same do pass, the objections of the Governor to the contrary notwithstanding.

By order of the Senate.

.....
President of the Senate.

Thomas F. McCran, Mar 29 1912 Speaker

(Endorsements on cover of the foregoing bill.)

Received at the hands of the Speaker of the House of Assembly and filed in my office this sixteenth day of April 1912.
DAVID S. CRATER,
Secy. of State.

Thomas F. McCran, Apr 16 1912 Speaker

"*Resolved*, That the Clerk of the House of Assembly be and he is hereby directed to file with the Secretary of State Assembly Substitute for Senate Substitute for Senate Bill No. 14, entitled, "An Act to amend an act entitled, 'An Act concerning Public Utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven, by adding a section concerning the safeguarding and removal of railroad crossings and the payment of the cost thereof, together with the original Assembly Committee Substitute and Senate Amendments thereto, as the same is now a law.

CHAPTER 412.

ASSEMBLY COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 14

An Act to amend an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven, by adding a section concerning the safeguarding and removal of railroad crossings and the payment of the cost thereof.

Filed
Apr 16 1912
DAVID S. CRATER
Secretary of State.

"*Further Resolved,* That a copy of this resolution be endorsed on said bill and certified to by the Speaker and Clerk of this House."

The undersigned do hereby certify that the foregoing Resolution was duly adopted by the House of Assembly of the State of New Jersey on the sixteen day of April, one thousand nine hundred and twelve.

THOMAS F. McCRAN,
Speaker of the House of Assembly State of New Jersey.

Dated April 16, 1912.

UPTON S. JEFFERYS,
Clerk of the House of Assembly, State of New Jersey.

I certify that this bill originated in the House of Assembly.

UPTON S. JEFFERYS,
Clerk of the House of Assembly.

Executive Department
Mar 29 1912
Received

(Resolution of the House of Assembly.)

WHEREAS, Assembly substitute for Senate substitute for Senate Bill No. 14 after having been passed by both Houses, was on the twenty-ninth day of March, nineteen hundred and twelve duly presented to the Governor, and

WHEREAS, This House on said twenty-ninth day of March, nineteen hundred and twelve, took a recess until April tenth, nineteen hundred and twelve, at five o'clock in the afternoon, and said bill was not returned to this House, where it originated, until April twelfth, nineteen hundred and twelve, when the Governor returned it with his objections, and

WHEREAS, More than five days elapsed, Sundays excepted, from the time of the presentation of said bill to

the Governor to its return by him to this House, and such return was not prevented by an adjournment of the Legislature,

Therefore be it Resolved, That in the judgment of the House of Assembly said bill is now a law.

BUT WHEREAS, The Attorney General has filed an opinion to the effect that the bill is not a law and was returnable to this House for action,

Therefore be it Resolved, That without waiving our determination and position that the bill is now a law, but to avoid if possible unnecessary technical legal questions, that this House decide to consider the bill on passage over the Governor's veto.

Be it further Resolved, That a copy of these resolutions be sent to the Governor and another filed in the office of the Secretary of State.

I certify that the above is a true copy of the resolution that passed the House of Assembly on the sixteenth day of April, one thousand nine hundred and twelve.

UPTON S. JEFFERYS,
Clerk of the House of Assembly.

April 16, 1912.

Hon. David S. Crater,
Secretary of State,
Trenton, N. J.

SIR:—

I hereby certify that the enclosed resolution was passed by the House of Assembly on the sixteenth day of April, one thousand nine hundred and twelve.

Very respectfully,
UPTON S. JEFFERYS,
Clerk of the House of Assembly.

Enclosure.

Endorsed:
"FILED APR 16 1912
DAVID S. CRATER,
Secretary of State."

CHAPTER 413.

An Act relating to certain bridges over navigable rivers in this State.

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

State to aid in maintenance of certain bridges.

1. Whenever a public bridge over or across a navigable river in the State of New Jersey is not less than four thousand feet in length and connects two municipalities in this State, one-third of the cost of maintenance and upkeep thereof shall be borne and paid by the State of New Jersey from and out of the money at the disposal of the said Road Commissioner, the balance to be paid as heretofore.

Supervision.

2. The duty of supervising and looking after said bridge shall remain in and be vested in the same board or body that now has control thereof and the cost of maintenance and upkeep shall be certified by the presiding officer or clerk of said board to the State Road Commissioner and when countersigned by the State Road Commissioner the proportion to be paid by the State shall be paid in the same manner that other expenses of said State Road Commissioner's office are now paid.

Payment by State.

Repairs.

3. The State Road Commissioner shall give his approval and consent in writing before any repairs exceeding one hundred dollars in cost shall be done or made on said bridge.

4. This act shall take effect immediately.

Approved April 30, 1912.

CHAPTER 414.

An Act authorizing the Board of Inspectors and Supervisor of the New Jersey State Prison to sink artesian wells to an additional depth than provided for in the existing contract.

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

Sinking artesian well.

1. The Board of Inspectors and Supervisor of the New Jersey State Prison are hereby authorized to enter into an agreement with Quinn and Herron, under their contract with the Supervisor of the New Jersey State Prison, dated twenty-sixth day of September, A. D. one thousand nine hundred and eleven, whereby they may receive a compensation per foot for sinking wells under their contract which, in the judgment of the Board of Inspectors may be required to be sunk to a greater depth than that now provided for under the existing contract (300 feet); said compensation to be determined by the said Board of Inspectors; *provided,* that said compensation shall not exceed a sum of five dollars per foot; *and provided,* that said sum or sums so contracted for, shall be paid out of the appropriation made under the supplemental appropriation act at the session of the Legislature of nineteen hundred and eleven, approved May first, nineteen hundred and eleven; *and further provided,* that any sum so contracted to be paid for any of the purposes required for sinking artesian wells shall not be in excess of the amount appropriated at the session of the Legislature of nineteen hundred and eleven for such purposes.

Proviso.

Proviso.

Proviso.

Payments.

2. The expenditures for sinking artesian wells shall be paid by the Treasurer of the State on the warrant of the Comptroller.

3. This act shall be a public act and take effect immediately.

Approved May 9, 1912.

CHAPTER 415.

A Further Supplement to an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and twelve," approved July sixth, one thousand nine hundred and eleven.

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

Appropriation for investigation of civil service and pension laws

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 twelve:

I.

COMMITTEE TO INVESTIGATE THE WORKINGS OF THE CIVIL SERVICE AND PENSION LAWS AND THE ADMINISTRATION THEREOF IN ANY DEPARTMENT OF STATE OR MUNICIPAL GOVERNMENT.

Amount.

For expenses of the committee appointed pursuant to resolution adopted by the House of Assembly March twenty-first, one thousand nine hundred and twelve, three thousand dollars.

2. This act shall take effect immediately.

Approved May 13, 1912.

CHAPTER 416.

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:*

Electors nominated.

1. In the year in which a President of the United States is to be elected, the State conventions which are now required to meet on the Tuesday following the primary election in each year, shall severally nominate for their respective parties, such number of candidates for electors of President and Vice-President of the United States as this State shall be entitled to elect or appoint. Such nominations shall be certified in the manner provided by the act to which this is a supplement, and all subsequent proceedings therein shall be in conformity with the various provisions of said act and the supplements thereto, so far as the same are applicable. The names of the candidates for President and Vice-President for whom such electors are to vote may be included in the certificate. Said conventions may appoint a committee to whom shall be delegated the power to fill any vacancies occasioned by any cause. The candidates for electors shall be amenable to chapter 188, laws of 1911. The State committee of their party may be their agent for the purposes mentioned in the first section of said act, or they may designate such other agent or agents as they see fit and such agent or agents shall comply with all the requirements of said chapter 188, laws of 1911.

Nominations certified.

Campaign committee.

2. This act shall take effect immediately.

Approved May 13, 1912.

CHAPTER 417.

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

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

Section 43 amended.

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

Registration.

43. In cities, towns, townships, boroughs and villages exceeding five thousand inhabitants, no person shall be allowed to vote at any general election unless he shall first have registered personally or by affidavit as required by this act. No registration by affidavit for the general election, except as hereinafter provided, shall hereafter be allowed in such municipalities, and the third registering day therein shall be on Tuesday, two weeks next preceding the general election.

Third registry day.

Section 44 amended.

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

Arrangement of registry book.

44. In all cities, towns, townships, boroughs and villages containing a population exceeding five thousand, the registry list or book shall be arranged in columns, and the leaves thereof shall be indexed from A to Z. In the first column of such register there shall be entered at the time of the completion of the registration on the last day of registration, a number opposite the name of each person so enrolled, beginning with "one" opposite the first name entered in the page index A, and continuing in numerical order to and including the last name

entered upon the last page of such register. On each day of registration there shall be entered in the second column thereof the surname of such persons in the alphabetical order of the first letter thereof, on the page bearing the index letter of such surname, and in the third column the Christian name or names of such persons respectively. In the fourth column shall be entered the residence number or other designation, and in the fifth column the name of the street or avenue of such residence, or a brief description of the locality thereof. In the sixth column shall be entered the number of the floor or room occupied by the voter at the residence given by him, and in the seventh column shall be entered the full name of the householder, tenant, subtenant or apartment-lessee with whom the voter resides, and in the eighth column shall be entered his age, in the ninth shall be entered his length of residence by years in this State, and in the tenth column shall be entered the country of his nativity, which shall mean the country, State or province of the voter's birth, irrespective of his former political allegiance. In the eleventh column shall be entered the name of the municipality from which such person last registered or voted. In the twelfth column shall be entered, if the voter is in business for himself or with others, the name under which he is so in business, or, if the voter is employed by some other person, the name of his present employer. If he is not in business and has no employment, the word "none" shall be entered, together with the name under which he was last in business or the name of his last employer, if any. In the thirteenth column shall be entered the street and number, or if it has no street number, a brief description of the location of the place, if any, where he is so in business or employed, or, if unemployed, the place, if any, where he was last in business or employed. The fourteenth column shall be reserved for the signature of the voter at the time of registration, or in case the voter alleges his inability to write, for entering therein the number of the "identification statement," made by such voter as hereinafter provided, or, if the voter has registered by affidavit, for the entry and number of such affidavit

Entry of names; details as to residence, age, employment, etc.

Signature.

Identification statement.

Signature copy.

as hereinafter required in such case. Above each horizontal line in said fourteenth column shall be printed the words "the foregoing statements are true" and the voter shall, at the time of registration (unless he register by affidavit as hereinafter provided), sign his name by his own hand and without assistance, using an indelible pencil or ink, below such words on the horizontal line in a register of voters, which register shall be known as the "signature copy." Said signature copy shall be other than a public copy, and shall be used at the polls on election day.

If unable to write, statement to be prepared.

If the voter alleges his inability to sign his name, one of the members of the board of registry and election, in addition to taking down the information required to be written in the "signature copy" of the registry book, shall read to the voter the following list of questions from a book to be furnished said boards, and to be known as "identification statements for registry day," and said member shall write down in said book the answers of the voter to the following questions: What is or was your father's full name? What is or was your mother's full name? Are you married or single? Where did you actually reside immediately prior to taking up your present residence; state floor and character of premises? At the bottom of each list of questions shall be printed the following statement: "I certify that I have read to the above-named elector each of the foregoing questions, and that I have truly recorded his answers as above to each of said questions"; and said member who has made the above record shall forthwith sign his name to said certificate and date the same. The above questions shall be printed on separate sheets of paper, which shall be furnished said board bound together in book form, and numbered consecutively, and the number corresponding to the number on each sheet containing said list of questions shall be entered, when the questions have been answered, in the fourteenth column, in the register of voters in which the voters registering have signed their names. Said book of "identification statements for registry day" shall be kept at all times with the register in which the voters sign their names as hereinbefore provided. The registration books

Certificate attached.

Identification statement book.

as provided in this section, together with a sufficient number of identification statements bound in book form, and the poll-books as herein provided, and the forms of affidavit hereinafter mentioned for persons unable to register personally, shall be provided by the Secretary of State at the expense of the State and shall be furnished to each board of registry and election in the same manner as the poll-books are now furnished to said boards, except that the lines in the registers and poll-books provided for in this section shall be one-half inch apart and each page of said registers and poll-books shall in each case be consecutively numbered.

Poll books, etc., provided by Secretary of State.

Any voter who is unable by reason of illness or absence from the State, to register personally may make and sign an affidavit, on a form to be procured from a board of registry and election, containing a statement of the reasons for his inability to register in person and also the same statements which a voter registering personally is required to make as hereinbefore provided. Said affidavit shall be taken before some person legally authorized to take affidavits and if taken outside of this State, shall be accompanied by a proper certificate showing the authority of the person administering the oath, to take affidavits. Such affidavit shall be filed with the board of registry and election of the district in which such voter is entitled to vote, on or before the last registry day and such board of registry and election shall, on or before the last registry day, endorse upon said affidavit the number thereof, giving it a number in the order of its receipt by said board, and shall thereupon enter the name of such voter on the registry list or book for the ensuing general election, together with the statements, as contained in said affidavit, which the voter would be required to make if registering personally and shall enter in the fourteenth column of said registry list or book, instead of the signature of such voter, the words, "affidavit No. ," giving the number endorsed on said affidavit. All such affidavits shall be kept by said board of registry and election and used on election day as hereinafter provided and after election shall be placed by said board inside the ballot boxes and returned to the

Registration of voters unable to do so personally.

Affidavit.

Placed on file.

Name entered on registry list

Use of affidavits.

municipal clerk therewith. Any person swearing falsely in any such affidavit shall be guilty of perjury and incur the penalty thereof.

Section 46 amended.

3. Section forty-six of the act to which this act is an amendment, be and the same is hereby amended to read as follows:

Use of signature book.

46. The signature copy of the registry list or book shall be kept by the board of registry and election in each election district, and used on election day as hereinafter provided. In all election districts in cities, towns, townships, boroughs and villages containing a population exceeding five thousand, each board of registry and

Pool book.

election shall have a poll-book for keeping the list of voters voting or offering to vote thereat at the election. Such book shall have six columns headed respectively: "Number of voter," "names of voters," "residence of voters," "signature or statement number of voter," "sig-

Action prior to voting.

natures compared" and "remarks." Previous to each delivery of an official ballot by the ballot clerk to a voter, the member of the board having charge of the poll-book shall enter therein in the appropriate column the number of the voter, in the successive order of the delivery of ballots to voters, the name of the voter in the alphabetical order of the first letter of his surname, his residence by street and number, or if he has no street number, a brief description of the locality thereof. The column headed "signature or statement number of voter" shall have printed above each horizontal line the words "the foregoing statements are true," and the voter shall,

Sign name.

previous to the receipt of an official ballot, sign his name by his own hand and without assistance, using an indelible pencil or ink, below the said words in the poll-book.

Signatures compared.

After the voter shall have so signed, and before an official ballot shall be given to him, one of the members of the board of registry and election shall compare the signature made in the poll-book with the signature theretofore made by the voter in the registration book on registration day, or if the voter has registered by affidavit in the manner provided by section forty-four of this act, with the signature made by the voter on such

affidavit, and if said signature is the same, or sufficiently similar to the signature written on registration day, or in such affidavit as the case may be as to identify it as being written by the same person who wrote the signature on registration day, or on such affidavit, said member shall thereupon certify that fact by writing his initials after such signature in the column headed "signatures compared."

Section 48 amended.

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

Comparisons and answers made openly.

48. The comparison of signatures of a voter made on registration and election days and a comparison of the answers made by a voter on registration and election days, or if the voter is registered by affidavit, then the comparison of his signature and answers on election day with his signature and statements in his affidavit, shall be had in full view of the watchers, challengers or agents, and the right to challenge voters shall exist until the ballot shall have been deposited in the ballot-box. If the signatures of the voter or the answers to the questions made by the voter do not correspond, then it shall be the privilege of the watchers and challengers to challenge, and the duty of each member of the board of registry and elections to challenge, unless some other authorized person shall challenge.

If disagreement, a challenge.

Section 49 amended.

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

Procedure in case of challenge.

49. In case a voter is challenged, the board shall ask him the questions which they asked him on registration day, the answers to which appear on the signature copy of the registry book if he has registered in person, and if he has registered by affidavit, said board shall ask him the same questions as are by this act required to be asked of a voter who has registered personally, and if the answers do not correspond a note of said fact shall be entered in the column of the poll-book entitled "remarks." The said board shall determine the right of such voter to vote, after making use of, and giving due weight to, the evidence afforded by his signature, if any, and the said answers.

May swear in vote.

If a majority of the board shall decide against receiving such vote and the voter shall then take the oath or affirmation now provided by law, the said board shall thereupon receive his vote. It shall then be the duty of such board of registry and election upon demand of a member of the board or any other citizen, to forthwith issue a warrant for the arrest of such voter and deliver the same to a peace officer, who shall forthwith arrest such voter.

Subject to arrest.

6. This act shall take effect immediately.

Approved May 13, 1912.

CHAPTER 418.

A Supplement to an act entitled "An act authorizing the construction of the Inland Waterway extending from Cape May to Bay Head along the Atlantic coast, and making an appropriation therefor."

Preamble.

WHEREAS, In the construction of the Inland Waterway as contemplated by the act to which this act is a supplement, it has become apparent that at certain points the original line for the inland waterway may be changed, with the result of shortening the length thereof or diminishing the cost of construction or maintenance thereof;

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

Authority to alter survey.

1. In addition to the powers and duties conferred upon the Commissioner of Inland Waterways by the act to which this act is a supplement, he shall have power to make such variations from the line of survey originally filed as shall be necessary and advisable, in his judgment, in order to shorten the length of the said channel proposed to be constructed, or to diminish the cost of construction or maintenance thereof. Whenever the Commissioner shall decide upon such change

he shall, with the approval of the engineer in charge of such construction, prepare a map thereof, showing the original survey and the change to be made, and file the same in his office, there to remain a public record, and the changed route as so located shall thereafter, unless some subsequent change be made, be the official survey of said Inland Waterway. No such change of survey shall become effective until approved by the Governor. Map to show changes filed. Governor's approval.

2. Wherever in order to construct any portion of the said Inland Waterway it shall be necessary to acquire for the channel thereof any lands or rights therein, the said Commissioner shall have power to acquire the same, of a width not to exceed three hundred feet, by gift, grant, purchase or condemnation. In event that condemnation shall be necessary, procedure shall be had in all cases according to the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900)," approved March twentieth, one thousand nine hundred, and the amendments thereof and supplements thereto. Acquisition of property.

3. All appropriations heretofore made and now unexpended shall be available for the acquisition of any lands authorized to be acquired by virtue of this act. Unexpended appropriations available.

4. This act shall take effect immediately.

Approved May 13, 1912.

CHAPTER 419.

A Further Supplement to an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and twelve," approved July sixth, 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 hereby appropriated out Additional appropriation for roads.

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 twelve:

I.

PUBLIC ROADS.

Amount. For necessary expenses incurred in checking plans and profiles, two thousand dollars.

2. This act shall take effect immediately.

Approved May 13, 1912.

CHAPTER 420.

A Supplement to an act entitled "An act to establish public parks in certain counties of this State and to regulate the same," approved May sixth, one thousand nine hundred and two.

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

Recreation buildings. 1. Every board of commissioners appointed under the provisions of the act to which this act is a supplement, shall have power and authority to construct and maintain in any park located by them or under their control, a pavilion, casino, building or other structure to be used by the inhabitants of the county and the public, as a recreation building, and to make such rules and regulations for the government and use thereof and the conduct of all persons while in or using the same, as to the said board of commissioners may seem reasonable.

Bond issue. 2. To meet the expenses incurred in the construction of a recreation building under the provisions of this act, the board of chosen freeholders of the county in which

such building is to be constructed, may, from time to time, on the requisition of said board of 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 thousand dollars ($100,000) over and above the total amount of bonds provided in the act to which this is a supplement; such bonds to run for a term not exceeding fifty (50) years, to bear interest at a rate not exceeding five per centum per annum, 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 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 bond so issued when due. The interest and principal of all 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 board of commissioners.

Amount.

Time.

Rate.

Sinking fund.

Provision for interest and redemption.

Use of proceeds.

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

Repealer.

4. This act shall take effect immediately.

Approved May 13, 1912.

JOINT RESOLUTIONS.

(939)

Joint Resolutions.

JOINT RESOLUTION, No. 1.

Joint Resolution relative to the interment of the body of Gen. Philip Kearny.

Preamble. WHEREAS, The Legislature of this State, by the joint resolution approved March twenty-third, one thousand nine hundred and eleven, provided for the removal to and interment in the National Cemetery at Arlington, Virginia, of the remains of Major-General Philip Kearny; but no provision has been made for the marking of his grave when he shall be so re-interred; therefore,

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

Monument. 1. The commission for the removal of the remains of Major-General Philip Kearny, appointed under a resolution entitled "A Joint Resolution providing for the removal of the remains of Major-General Philip Kearny to the National Cemetery at Arlington, Virginia," approved March twenty-third, one thousand nine hundred and eleven, be and they are hereby authorized and directed to have erected at his grave in the National Cemetery at Arlington, Virginia, when he shall have been so re-interred, a suitable granite monument, properly inscribed.

Appropriation. 2. The necessary expense for the same not to exceed the sum of ten thousand dollars, as certified by the said commissioners and approved by the Governor, shall be paid by the Treasurer of the State out of the treasury of the State, on the warrant of the Comptroller.

Report. 3. The commission shall make report to the Legislature of their proceedings under and by virtue of this resolution.

4. This resolution shall take effect immediately.

Approved February 26, 1912.

JOINT RESOLUTION, No. 2.

A Joint Resolution providing for the printing and distribution of additional copies of a history of Kearny's First Brigade, Volunteers of New Jersey.

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

Additional copies of history authorized.

1. That the State Printing Board of this State be authorized to print one thousand additional copies of the history, which was authorized to be printed and published by an act of the Legislature of this State, entitled "An act to provide for the printing and publication of a history of Kearny's First Brigade, Volunteers of New Jersey," approved April ninth, one thousand nine hundred and ten, and deliver the same to the State House Commission for distribution, without cost, among the citizens of this State.

Appropriation.

2. For the purpose of carrying this resolution into effect, said State Printing Board is hereby authorized to expend out of the annual State appropriation for printing, such sum as may be needed.

3. This resolution shall take effect immediately.

Approved February 26, 1912.

JOINT RESOLUTION, No. 3.

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

Appropriation for copies of report of charities conference.

1. That the New Jersey Conference of Charities and Correction be authorized to print two thousand copies of their Annual Conference for nineteen hundred and twelve; and the sum of six hundred dollars is hereby

appropriated for the printing and distribution of the same, when included in the regular appropriation bill, to be paid out of the State treasury, upon warrant of the State Comptroller, upon vouchers duly approved by the Governor.

2. This resolution shall take effect immediately.

Approved March 8, 1912.

JOINT RESOLUTION, No. 4.

Joint Resolution creating a commission to fully investigate the project of providing interstate communication across or under the Hudson River connecting this State with the State of New York and making the necessary appropriation therefor.

RESOLVED *by the House of Assembly of the State of New Jersey, the Senate concurring:*

1. The Governor shall appoint a commission consisting of five citizens of this State to fully investigate the project of providing interstate communication between the States of New Jersey and New York, either across or under the Hudson river. Commission.

Said commission shall be known as "New Jersey Interstate Bridge and Tunnel Commission," and shall have the following rights and powers: Name and powers.

A. To make such rules and regulations for the transaction of its business, from time to time, as it may deem proper. Rules and regulations.

B. To accept and use for the carrying out of the purposes and powers herein conferred upon it, any and all moneys herein appropriated or that may be appropriated by the Committee on Appropriations, as well as such sums of money as have been or may be appropriated by any county by virtue of Chapter 89 of the Laws of 1910; Financial matters.

Succession; records, etc.

C. To succeed to, take over and use any and all papers, maps, drawings, records and property whatsoever previously acquired by a commission created by Joint Resolution No. 3, passed by the Legislature of this State and approved April second, one thousand nine hundred and eight, and continued in office by various resolutions of the Legislature of this State, and by Chapter 89 of the Laws of 1910.

Surveys, maps, etc.

D. In co-operation with The New York Interstate Bridge Commission to make the necessary borings, surveys, drawings, plans and estimate of the cost of a bridge over the Hudson river, as well as the approaches thereto and the land necessary for same on both sides of said river.

Estimate for tunnels.

E. To make the necessary borings, soundings, surveys, drawings, plans, and estimates of the cost of one or more tunnels under the Hudson River at the most available and practical place or places, between said States, as well as the approaches thereto, and the land necessary for same on both sides of the said river.

Report.

2. Said commission shall make a detailed report of its investigations and actions, as herein authorized, with such recommendations as it may think proper, to the Governor and Legislature of this State, not later than March first, one thousand nine hundred and thirteen, and the members thereof shall receive no compensation for their services as such.

Appropriation.

3. The sum of twenty-five thousand dollars ($25,000.00), or so much thereof as the Committee on Appropriations shall appropriate, is hereby appropriated, for the purpose of making such borings, surveys, drawings, plans and estimates as herein authorized, and for the paying of the expenses of said commission, payable to the treasurer of said commission on the warrant of the Comptroller, on itemized vouchers certified to by the chairman of the commission.

4. This joint resolution shall take effect immediately.

Approved March 21, 1912.

JOINT RESOLUTION, No. 5.

Joint Resolution for the appointment of a commission to formulate a plan for the initiation and use of the labor of all convicts.

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

1. The Governor shall appoint a non-partisan commission of eight members, to be known as the Convict Labor Commission, to be selected as follows: Two Republican members of the Legislature, the Commissioner of Charities and Correction, the secretary of the State Board of Health, the Commissioner of Roads, Keeper of the State Prison, and two representatives of the New Jersey division of the Federation of Labor; and that the Governor shall instruct said commission to formulate a comprehensive plan for the initiation and use of the labor of all convicts, physically able, on the public roads, in public parks, in forestry and in such other ways to the public benefit, not in competition with free labor, as may suggest themselves, and to report said plan, together with recommendations for suitable enabling legislation to the Legislature. Commission on convict labor. Objects sought. Report.

2. This joint resolution shall take effect immediately.

Approved March 28, 1912.

JOINT RESOLUTION, No. 6.

Joint Resolution for the appointment of a commission to report upon the advisability of the reorganization and consolidation of the different departments of State whose functions are inter-related.

WHEREAS, In the interest of economy and greater concentration of work along the same general lines it is Preamble.

considered possible to consolidate different departments of the State government whose separate duties are now intimately related;

WHEREAS, It is impossible for the Legislature during the busy work of a session to properly prepare a plan that would thoroughly cover this large subject in the most practical way; therefore,

Be it resolved, That a commission of seven be appointed for the purpose of considering the best means to consolidate various boards and to broaden the powers in one central board, or boards.

Commission. Said commission shall consist of two members of the Senate, to be appointed by the President of the Senate, two members of the House of Assembly, to be appointed by the Speaker of the House of Assembly, and three citizens of the State of New Jersey, to be appointed by the Governor, such commission to report to the next session of the Legislature their recommendations on this general subject. Said commission shall have power to compel the attendance of witnesses by subpœna, and to punish them for failure to attend or testify.

Appropriation. The members of this commission will serve without salaries, but for the purpose of necessary investigation and clerical help the sum of five thousand dollars will be available when appropriated in the regular appropriation bill.

Approved April 1, 1912.

JOINT RESOLUTION, No. 7.

Joint Resolution for the appointment of a commission to investigate present methods of making assessments for taxes throughout the State, and report whether changes are desirable.

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

Commission to investigate subject of taxes. 1. That a commission of five be appointed to investigate the present methods of making assessments for

taxes throughout the State, and whether, for the purpose of securing uniformity and equalization, changes in the present system are desirable, and report their findings and recommendations, if any, at the next session of the Legislature.

Commission, how composed.

Said commission shall consist of the president of the Board of Equalization of Taxes of the State of New Jersey, one member from the Senate, to be appointed by the President of the Senate, one member from the House of Assembly, to be appointed by the Speaker of the House, and two citizens of the State of New Jersey, to be appointed by the Governor.

Hearings at county seats.

Said commission shall hold at least one public hearing at each county seat in the State, for the purpose of discussion and the examination of local methods and conditions, and shall have the power to compel the attendance of witnesses by subpœna, and to punish them for failure to attend or testify.

Appropriation.

The members of the commission shall serve without salary, but for the purpose of necessary expenses and clerical help, the sum of three thousand dollars will be available when appropriated in the regular appropriation bill.

Approved April 1, 1912.

JOINT RESOLUTION, No. 8.

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

Commission on free interstate bridges.

That the Governor of this State be and he is hereby authorized to appoint three commissioners on the part of the State of New Jersey to act with three commissioners appointed or to be appointed by the Governor of the State of Pennsylvania under a resolution similar to this, whose duty it shall be to ascertain whether the toll bridges across the Delaware river between this State and the State of Pennsylvania can be acquired by the two States, and if they can to report to the

Duties.

Legislature, if in their judgment the prices be fair ones, the amount for which said purchase can be made; and in default of their being satisfied that they can acquire the said toll bridges at reasonable cost, they shall proceed to estimate the probable value of said toll bridges and each of them and the probable cost of the condemnation of the property, and likewise report in regard to such condemnation.

Estimated cost.

Resolution transmitted.

Resolved (2), That the Governor of this State be requested to communicate this resolution to the Governor of the State of Pennsylvania with request that he submit the same to the commission now acting under appointment of the Legislature of said State, or to the said Legislature for its further consideration.

Sittings.

Resolved (3), That the said commissioners shall have power to sit separately in this State, to summon and compel attendance before them, or such person as may be necessary and proper to testify, in order to secure the information required for the purposes of their report, and that any member of said commission shall have power to administer an oath to any person so summoned.

Appropriation.

Resolved (4), That there shall be appropriated the sum of one thousand dollars to defray the expenses of the commissioners appointed by virtue of this resolution incident to this inquiry and all expenses of the commission be submitted to the Governor and approved by him for payment.

Approved April 1, 1912.

JOINT RESOLUTION, No. 9.

Joint Resolution for the appointment of a commission to investigate the manner of selecting juries and to report findings and recommendations thereon.

Preamble.

WHEREAS, The jury system of this State has been subject to criticism and complaint, and particularly as to the manner of selecting juries; therefore,

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

That a commission of four be appointed to investigate the entire jury system of this State and report their findings, together with any recommendations thereon, at the next session of the Legislature. Said commission shall consist of two members of the Senate, to be appointed by the President of the Senate, and two members of the House of Assembly, to be appointed by the Speaker of the House of Assembly. Commission on jury system.

The sum of five thousand dollars shall be available, when appropriated in any regular appropriation bill, to defray the necessary expenses and clerical help of the said commission. Appropriation.

Approved April 1, 1912.

JOINT RESOLUTION, No. 10.

A Joint Resolution providing for the appointment of a committee to make a further investigation and report upon the subject of the abandonment of the Morris Canal and making an appropriation for the expenses of such investigation and report.

WHEREAS, The Morris Canal and Banking Company was incorporated and the canal of said company constructed under the authority of a special act of the Legislature of this State (known as its charter), which act provides that the canal property becomes the property of the State of New Jersey, without any payment therefor, in the year nineteen hundred and seventy-five, and that the said canal must be kept in continuous operation to preserve its property rights and franchises to the company; and Preamble.

WHEREAS, The Lehigh Valley Railroad Company has purchased and is now the owner of nearly all of the

capital stock of said canal company and the bonds issued by it, and said railroad company wishes to discontinue the operation of the canal, alleging that its loss in the operation of said canal, including the interest on the amount invested in the purchase of the capital stock of the canal company and the bonds issued by it, is about two hundred and fifty thousand dollars each year, which annual expenditure will continue for about sixty-three years, or until the year nineteen hundred and seventy-five, at which date the principal sum invested in said stock and bonds becomes practically worthless, because the canal reverts to the State, free and clear of such encumbrances, thus adding an additional loss to the railroad company of about three millions of dollars, representing the cost to the railroad company of said stocks and bonds; and

WHEREAS, A report has been presented to this Legislature, made by a commission consisting of Woodrow Wilson, Governor of New Jersey; Edmund Wilson, Attorney-General of New Jersey, and Bennet Van Syckel, recommending the abandonment of the said canal, upon terms providing for the payment to the State of New Jersey of the sum of only about seven hundred thousand dollars, and the delivery to the State of certain alleged water rights and rights in a portion of the canal bed of uncertain value, such value depending largely upon the purposes for which the canal and water rights can legally be used, and the liabilities which would fall upon the State should the use of the canal be discontinued or changed; and

WHEREAS, At the present session of the Legislature a bill known as "Assembly Bill No. 70" was introduced, which bill was prepared at the instance of, and recommended by, the said commission, which bill provides for the abandonment of said canal upon the terms and conditions recommended in said report, and further provides, that the title to certain valuable property in Jersey City, now partially or wholly used for terminals and wharves by the Lehigh Valley Railroad Company, and reputed to be worth several mill-

ions of dollars, shall immediately vest in the railroad company, clear of any rights or reversion to the State of New Jersey, with the apparent result, that the railroad company would, if said bill should become a law, be relieved of the large annual loss above referred to, and would further be substantially reimbursed immediately for the loss of several millions of dollars of principal which will fall upon said company in nineteen hundred and seventy-five, under the charter provision above referred to, by reason of the fact that, at that time, the property of the canal company would become the property of the State, free and clear of said obligations; and in lieu thereof, under said Assembly Bill No. 70, the State of New Jersey would now receive the small sum hereinabove mentioned; and

WHEREAS, For the above reasons, said report, in the judgment of this Legislature, did not convey to this body sufficient detailed information upon which this Legislature could vote to surrender the great rights of the State involved therein;

Therefore, be it Resolved, That a committee consisting of twelve persons shall be appointed, four of such persons shall be appointed by the President of the Senate, four of such persons shall be appointed by the Speaker of the House of Assembly, and four of such persons shall be appointed by the Governor. Such appointments shall be so made that one of said committee shall be a resident of each Congressional district of this State. All of such appointments shall be made within fifteen days after the passage of this resolution. Commission. Each congressional district represented.

And be it further Resolved, That said committee is hereby directed to make a written report upon the following matters: Report.

1. A statement showing in detail the property owned by the canal company, and all water and other rights of said company, which would revert to the State of New Jersey in the year nineteen hundred and seventy-five, or at any earlier date, under the charter of said company and the laws of New Jersey; said statement to be accompanied by maps, showing the location of all such prop- Property owned, use, and value.

erty, with full information as to the manner in which such property is now being used, and whether the use now being made of such property is legal; also the market value of all such property; and the value of the same to the persons or corporations now occupying the same, or any part thereof. Appraisements shall be made by competent persons of said property as a whole, and also separately, of the property of said company in each municipality, and the reasons upon which such values are based shall be made a part of such appraisement.

What the State would receive, and obligations incurred.

2. A detailed statement, showing the value of the property and water and other rights which the State of New Jersey would receive under the plan recommended by said commission, and what legal obligations and liabilities the State would assume in accepting that portion of the canal bed and water and other rights which the State would take over under said report.

Net proceeds.

3. A detailed statement showing what amount the State could reasonably expect to receive, net, annually from the property and rights which the State would obtain under the plan so recommended.

Possible operation of part of canal.

4. If it is practical, in the judgment of said committee, that any part of the canal be continued in profitable use, in case it should be taken over as recommended by said commission, the amount of money that would be necessary to improve the canal for such use, and what income could reasonably be expected from its operation.

Part retained by railroad.

5. A statement showing in detail the property which the railroad company would retain and become entitled to, free from the rights and interests of the State of New Jersey, under the plan recommended by said commission, and the market value of said property, and the value of the same to the occupants thereof.

As to forfeit of charter.

6. The committee shall also investigate and report whether or not, in its opinion, the said Morris Canal and Banking Company and its lessee have forfeited to the State the charter aforesaid, by reason of the failure of said companies, or either of them, to operate or maintain said canal, pursuant to the requirements of said charter, or otherwise.

Other information.

7. Such other and further information concerning the canal and the subject of the abandonment thereof, as the

committee may deem to be of assistance to the Legislature in considering the subject.

And be it further Resolved, That said committee is directed to make a report at the earliest possible date, with the end in view that a special session of the Legislature may be called, if necessary, to act upon this important subject. Report.

And be it further Resolved, That the said committee shall organize by the election of a chairman and a secretary from among their number within fifteen days after their appointment; and shall have power from time to time to appoint such other and further employees and assistants as in their judgment may be necessary in the performance of the duties placed upon said committee by this resolution; the sum of five thousand dollars is hereby specifically appropriated to pay the expenses of said work; all bills to be paid by the State Treasurer upon approval of said committee. The members of the committee shall serve without compensation. Organization of commission. Appropriation.

Passed April 12, 1912.

New Jersey State Library

PROCLAMATIONS.

(955)

Proclamations by the Governor.

STATE OF NEW JERSEY,
EXECUVIVE DEPARTMENT.

WHEREAS, Henry C. Loudenslager, was, at the general election held on the Tuesday next after the first Monday in November, in the year nineteen hundred and ten, elected by the voters of the First Congressional District to represent this State in the House of Representatives of the United States, and subsequently duly qualified himself as such Representative, and after such election and qualification, to wit, on the twelfth day of August, nineteen hundred and eleven, departed this life, thereby causing a vacancy to exist in the representation of this State in the House of Representatives of the United States:

Therefore, I, WOODROW WILSON, Governor of the State of New Jersey, pursuant to law, do hereby issue this, my proclamation, directing that an election be held according to law in said Congressional District, on Tuesday, the seventh day of November next, ensuing the date hereof, for the purpose of electing a member of the House of Representatives to fill the vacancy causd by the death of the said Henry C. Loudenslager.

Given under my hand and the great seal of the State of New Jersey, at Trenton, this twenty-second day of August, in the year of our [GREAT SEAL.] Lord one thousand nine hundred and eleven, and of the Independence of the United States the one hundred and thirty-sixth.

WOODROW WILSON,
Governor.

By the Governor:
S. D. DICKINSON,
Secretary of State.

THANKSGIVING PROCLAMATION.

Another year has passed; we have enjoyed peace at home and abroad; our fields have yielded their generous increase in response to our labor; our business enterprises have gone forward, if without unusual increase, at least without crisis and without untoward check or hindrance; and our State has won credit among her neighbors for thoughtful and well-considered reform. For these things and for all the manifold blessings of life; for days of greater and greater enlightenment and a hopeful betterment of the conditions of civilization; for knowledge of what is true and right; for all things that make for righteousness and purity and increase of confidence we owe devout and heartfelt thanks to Almighty God, to whose Providence we owe all that sustains and brightens our life whether as individuals, as communities or as a nation.

Therefore, I, WOODROW WILSON, Governor of the State of New Jersey, do designate Thursday, the thirtieth day of November, instant, as a day to be observed for general thanksgiving and prayer, and recommend that upon that day all business cease and that the people gather in their respective churches and other places of public worship, or in private at their homes, to make fitting acknowledgment to Almighty God of His unbounded benefactions to us as a Nation, State and Individuals.

Given under my hand and seal, at the Executive Chamber, in the City of Trenton, this ninth day of [GREAT SEAL.] November, in the year of our Lord one thousand nine hundred and eleven, and of the Independence of the United States the one hundred and thirty-sixth.

WOODROW WILSON.

By the Governor:

S. D. DICKINSON,

Secretary of State.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
February 28, 1912.

WHEREAS, The Comptroller did, on the third day of January, nineteen hundred and twelve, 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 1909, 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 inoperative and void; unless the Governor gives further time for payment; and,

WHEREAS, The Governor has not given further time to the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

Therefore, I, Woodrow Wilson, Governor of the State of New Jersey, pursuant to the provisions of said act of the Legislature, do hereby issue this proclamation that the charters of the following-named corporations so reported, are in default, to wit:

A. B. Baxter and Company, Inc.
A. B. Dexter Company.
Acetylene Specialty Company.
Adjustable Grate Bar Company.
Adolph Gang, Incorporated.
Adolph Klee Manufacturing Company.

Ad-Writers' Association of America.
Aetna Mining Company.
Afro-American Trading and Navigation Company.
A. F. Swan Company.
Agnew Hotel Corporation.
Aiton Machine Company.
Ajax Light Company (No. 1).
Ajax Light Company (No. 2).
A. J. Small Engineering Company.
Albert Kloeblen Company.
Albert Photographic Company.
Al. C. Beaudry Company.
Alcolm Publishing Company.
Alexander Company.
Allendale Electric Company.
Allenhurst Company.
All-Metal Valve Company.
Alma Coal Company.
Alpha Hotel Company.
Alpha Toilet Powder Company.
American Aniline Company.
American Boiler Economy Company.
American Can Labeling Company.
American Cigar Box Company.
American Development and Securities Company.
American Flexible Shaft Company.
American Hartung Battery Company.
American Importing and Steamship Company.
American Land Company of Perth Amboy, N. J.
American Letter Company.
American Light, Heat and Power Company.
American Match Manufacturing Company.
American Mechanical Cashier Company.
American Mexican Investment Company.
American Milk Company.
American Mineral Company.
American Opera Glass Supply Company.
American Press.
American Pure Water Corporation.
American Reduction Company.
American Sanitary Wardrobe Company.

American Silk Thread Finishing Company.
American Skylight and Iron Works.
American Technolith Company.
American Veneer Machine Company.
American Water Supply Company of New York.
American Window Screen Company.
Ampere Silk Mill.
A. M. Taylor Company.
Anchor Tile Company.
Angora Silk Dyeing Company.
Anthony Brothers.
Aquapura Company.
Arcade Company.
Arcade Block Lighting Company.
Arcadian Copper Company.
Archibald-Ayers Company.
Arlington Construction Company.
Armas de Oro Cigar Factory.
Arnold Manufacturing Company.
Arsdale Building Company.
Artesian Pure Ice Company.
Arvon Mining Company.
Asbestos Tobacco Pipe Company.
Asphalite Roofing Manufacturing Company.
Associated Religious Press.
Atkinson-Frizelle Company, formerly William H. Atkinson Co. (Tax for 1906.)
Atlantic Abattoir Company.
Atlantic Cable Ship Company.
Atlantic City Auction Company.
Atlantic City Candy Company (Inc.).
Atlantic City Co-operative Veterinary Remedy Company.
Atlantic City Institute of Mechano Neural Therapy.
Atlantic City Sandstone Brick Company.
Atlantic City Scenograph and Amusement Company.
Atlantic City Yacht Club.
Atlantic City Yachtmen's Association.
Atlantic and Cairo Construction Company.
Atlantic Coast Distilling Company.
Atlantic Coast Garage.

Atlantic Coast Sanitary Company of Long Branch.
Atlantic Cranberry Company.
Atlantic Engineering and Construction Company.
Atlantic Tile and Faience Company,
Atlantic and Ventnor Investment Company.
Atlas Rubber Company.
Atmospheric Oxygen and Power Company.
Autobus Company.
Automatic Fire Gun and Cartridge Company.
Automatic Head Rest Company.
Automatic Machine Company.
Automatic Operating Company.
Automatic Oscillating Loom Company of America.
Automatic Plate Printing Press Company.
Automobile Parts Manufacturing Company.
Auto Truck Manufacturing Company.
A. V. W. Company.
A. W. Wolfson, Incorporated.
Bacon Art Company.
Baltimore Avenue Automobile and Garage Company.
Baltimore Paving and Contracting Company.
Baltusrol Quarry Company.
Bangor Drug Company.
Bankers' Money Order Association.
Barnegat Realty Company (No. 1).
Barnes Company.
Barnes Lock and Foundry Company.
Bartle Fruit Company.
Bath Electric Service Company.
Bath Silk Manufacturing Company.
Belize Royal Mail and Central American Steamship Company.
Bell Engraving Company.
Bell Pure Air and Cooling Company.
Bell Realty Company.
Bergen County Coal and Lumber Company.
Bertram Bryan Company.
Bessemer Construction Company.
Big Brushy Coal and Coke Company.
Bijou Company.
Billings Mutual Telephone Company.

Billings Water Power Company.
Bippus Silk Dyeing Company.
Birmingham Coal and Barge Line Company.
Bi-State Realty Company.
Blank-Heslowitz Company.
Blue Ridge Lumber Company.
B. and O. Blindstitching and Overseaming Company.
Bohemian Realty Company of Newark, N. J.
Bondurant and Schuch Company.
Boonton Lumber Company.
Bornstein Brothers.
Boston Baked Bean Company.
Botanical Exterminating Company.
Bowdoin's.
Bowers Hydraulic Dredging Company.
Bozarth Land and Improvement Company.
Brade-Jenkins-La Force Company.
Bradwell Building and Construction Company.
Branch Brook Realty Company.
Brandt Woodworking Company.
Breakers Hotel Company.
Breckwoldt Manufacturing Company.
Breeze, Cox and Company.
B. R. Faulkner and Company, Incorporated.
Brice Patent Kiln and Furnace Company.
Brick Church Automobile and Supply Company.
Brigantine Entertainment Company.
Brooklyn Vinegar Company.
Brownell and Company.
Brown Process Company.
Brown Realty Company (No. 2).
Buchan Manufacturing Company.
Buffalo Carbon Paper Company.
Builders' Improvement and Working Company of Newark, N. J.
Burlington Chair Company.
Burmont Chemical Novelty Company.
Burn Iron Company.
Burnwood Brick and Tile Company.
Burroughs Apothecary Company.
Bushkill Portland Cement Company.

Byron C. Sharp Recreation Company.
Calumet Grain Company.
Canadian Low Phosphorous Iron Ores Company.
Cann's Kidney Cure Company.
Canton Advertising Company.
Cantor Brothers Company.
Cape May Baking Company.
Cape May Heights Realty Company.
Capital Typewriter Company.
Carbonic Condensing Company.
Carl Kuhn Company.
Cary Sand Company.
Casino Amusement Company.
Casson Company.
Cataract Land and Improvement Company.
Cataract Light, Heat and Power Company.
Cathcart Coupling Company.
C. B. Dolge Company.
C. C. Lienan's Son's Company.
Cement Engineering and Construction Company.
Cement Interlocking Steel Company.
Central Egg-Carrier Company.
Central Lumber Company (No. 2).
Central Market.
Central Mines Specialty Company.
Central Real Estate Agency.
Central Realty Corporation.
Central Roller Rink Company.
Challenge Starch Company.
Chalmers-Detroit Motor Company of Philadelphia.
Charles N. Pinkney and Company.
Chemung Valley Condensing Company.
Chester Lumber and Coal Company.
Chiron Company.
C. H. Miller Coffee Company.
Christian's Natural Food Company.
Chryst Laundry Machine Company.
City Plumbing Company.
City and Suburban Home Building Company.
Clason Point Park Company.
Clement and Company.

Cline Inventions Company.
Clinton Construction Company.
Clinton H. Smith and Company.
Cloud Manufacturing Company.
Clymer Printing Company.
Cohnen Dyeing Machine Company.
Collingswood Heights Realty Company.
Colombo Elixir Company.
Colonial Distillery Company.
Colorado, Hereford and Gulf Townsite Company.
Columbia Automatic Machine Company.
Columbia Colony Company .
Columbia Oil and Paint Company.
Commercial and Home Loan Association.
Concrete Brick Company.
Concrete Construction and Realty Company.
Conemaugh Construction Company.
Connecticut Development Company.
Consolidated Hardware Company.
Consolidated Lithograph Company.
Consolidated Mexican Company.
Consumers Ammonia Company.
Consumers Brewing Company of Newark, N. J.
Consumers Crown and Cork Company.
Consumers ManufacturingCompany.
Consumers Oil Company.
Consumers' Silk Company.
Continental Amusement Company.
Continental Construction Company.
Continental Real Estate Company.
Contractors and Owners Guarantee Company.
Contractors' Tool Company.
Corporation Liquidating Company.
Corwin Nerve-Force Blood Circulation Company.
Cosmopolitan Investment and Improvement Company of New Jersey.
Cosmo-Studio Company.
Cottage Land and Improvement Company.
Cotton Oil and Fibre Company.
Cowperthwait's Exchange.
Creasem Manufacturing Company.

Credit Reporting Company of Trenton, N. J.
Crescent Compound Company.
Crescent Realty Company.
Crescent Steel and Wire Company.
Crestdale Hotel Company.
Cripple Creek Sewer Company.
Croatan Company.
Crossley Manufacturing Company.
Crowe Stoker Company.
Crown Cap and Machine Company.
Cuban Crate Company.
C. W. Dean Company.
C. W. Todd Company.
Cyclopean Iron Works Company.
D. A. Higgins and Company.
Dairy Products Company.
Dale Manufacturing Company.
Dalrymple-Hastings Company.
Darnoc Manufacturing Company.
David Niebuhr Company.
Davis Trap Rock Quarry Company.
Day-and-Night Sign Company.
Dean Heat Distributor Company.
Dean's Incorporated Bureau of Registry and Employment.
Defender Safety Window Company.
D. E. Knit Goods Company.
Delsarte Manufacturing and Supply Company.
Dempsey Brick Company.
Development Company of Bolivia.
Dey and Davis Company.
Diamond Amusement Company.
Dilliard Remedy Company.
Dillingham Horse and Carriage Company.
D. L. Marshall Milling Company.
Dr. Fox Chemical Company.
Dr. Hunter Chemical Company.
Dr. Lipman's Sanitary Produce Farm.
Dr. Weidenkaff Saccharometer Company.
Dominican Company.
Dominion Construction Company.

Double Whirl Amusement Company.
Douglas Manufacturing Company.
Downs-Plum Company.
Dragon Glove Company.
Duffey and McCarthy.
Dundee Woolen Manufacturing Company.
Durango Mines Development Company.
Dustless Cleaner Company.
Dutcham Tobacco Company.
Eadie Vehicle Gear Company.
Eagle Bottling Company.
Eagle Tea Company of New Jersey.
East Greenville Light and Fuel Company.
East Jersey Securities Company.
East Rahway Land Company.
Eastern Amusement Company.
Eastern Coal and Coke Company.
Eastern Iron Ore Company.
Eastern Securities Company.
Eastman Oil and Fertilizer Company.
E. Bedell Company.
Eclipse Printing Company.
Economy Realty Association.
Edgar Lehman Realty Company.
Edgewater News Company.
Edwards Export and Lumber Company.
Edwin F. Smith Company.
Egg Harbor City Conserve Company.
E. H. Shuster Horse, Cattle and Poultry Powder Company.
Elba Iron Manufacturing Company.
Electric Carrier Company.
Electric Cutlery Company.
Electric Park Toboggan Company.
Electric Properties Company.
Electric Vibrotator Company.
Electro-Automatic Visible Signal Company.
Electro Metals Company.
Elizabeth Evening Times Company.
Elkwood Park Automobile Association.
Ellis Company.

Ely Golden Ledge Mining Company.
Empire Engine Company.
Empire Silk Company.
English and Thompson Company.
Eos Chemical Company.
E. P. Backus Lumber Company.
E. Percy Parker, Inc.
Equitable Wood Turning Mill.
Era Publishing Company.
Esmeralda Mining Company.
Essex Embroidery Works.
Essex Park Building and Construction Corporation.
Essex Pharmacy.
Eton Talc Mining Company.
Eureka Enameling Company.
Eureka Packing Company.
Eureka Soap Stone Company.
European Churchward Steel Company.
Evening Union Publishing Company.
Evolution Publishing Company.
Ewart Railway Supply Company.
E. W. Jacobus Company.
E. W. Stevens Company.
Excelite Company.
Exchange Land Company.
Export Shipping Company.
Expositor Company.
Fair.
Fairmount Coal and Lumber Company.
Fairview Ice, Coal and Lumber Company.
Falk Paper Board Company.
F. A. Sawyer Lumber Company.
F. C. Carver Company.
Federal Electric Company.
Federal Match Company.
Federal Realty Company.
Felsher Blacksmiths Supply Company.
Fertilizer Chemical Company.
F. E. Seery Company.
Fibre Board Company.
Fidelity Realty and Investment Company.

Fidelity Security and Investment Company.
Finley and Company.
Fir Door Company.
Fisheries Company.
Fixico Mining Company.
Fleissner, First and Company.
Florence Distilling Company.
Florida West Coast Improvement Company.
Foster and Bent Company.
Foster-Cory Company.
4-S-Food-Press Company.
Fowler and Dalton.
Foxhall Brick Company.
Frank F. Smith and Yates Manufacturing Company.
Franklin Narrow Fabric Company.
French Drug Company.
F. W. Shrump and Sons Company.
Gaiety Theatre Company (No. 1).
Galland-Stewart Company.
Galvin Water Company.
Garfield Building and Improvement Company.
Garfield Land Association.
Garrett Mountain Ice Company.
Garson Vending Machine Company.
Gas Pressure Regulating and Equipment Company.
Gas Self Lighting Company of America.
Gazette Publishing Company.
Gelatian Sanitorium, Incorporated.
General Advertising Company.
General Coke and Gas Company.
General Engineering and Contracting Corporation.
General Explosives Company.
General Light, Power and Pump Company.
General Manufacturing and Supply Company.
General Reduction Company.
General Supply and Equipment Company.
General Underwriters Corporation.
George Brooks and Son, Incorporated.
George B. Van Cleve Company.
George Deiss Hat Band Company.
George F. Quigley Company.

George J. Hicks, Incorporated.
George Jonas Transportation Company.
Geo. R. Trumbull Electric Manufacturing Company.
George W. Downs Company.
Georges A. Glaenzer and Company.
Georgia Gold and Copper Company.
Georgia Pyrites Company.
German American Advertising Agency.
German-American Fur-Dyeing Company.
German Theatre, Incorporated.
Gibbs Cement and Concrete Block Company.
Gibbs Piano Company.
Gibraltar Paint Company of New Jersey.
Gillette Separator Company.
Gladstone Realty Company.
Glassborough Hall Association of Glassborough, New Jersey.
Glen Ridge Building Association.
Globe Fire Apparatus Company.
Goodman Hat Manufacturing Company.
Grace Brass Foundry Company.
Graham Shoe Company.
Grand Central Beef Company.
Graphite Non-Friction Lubricants Company.
Green's Bridge Bottling Company.
Greenwood Mills.
Grove Piano Company.
Grove Land Company.
Gum-Lax Manufacturing Company.
Gundel-Bundel Medicine Company.
Gunhouse Shoe Company.
G. W. Graham Company.
Haas Amusement Company.
Hackensack Ice and Coal Company.
Hackensack River Steamboat Company.
Hackett Motor Car Company.
Hagny Realty Company.
H. A. Hughes Company.
Hamilton Press.
Hardware Supply Company.
Harper Smith Company.

Harrington Park Improvement Company.
Harry Klinger Company.
Harvey Cedars Beach Company.
Havana Construction and Supply Company.
Havana Realty Company.
Haworth Stone and Building Company.
Hawthorne and Sheble Company.
Hayes Saw and File Company.
Haytian Electric Company.
Haytian Improvement Company.
Hazleton Base-Ball and Amusement Company.
Headley and Farmer Company.
H. E. Heacock Company.
Helm Realty and Improvement Company.
Hengeveld and Bohl Corporation.
Henry E. Sealey and Company, Inc.
Henry Henningsen and Company.
Hercules Manufacturing Company of America.
Hetzel Heat Improvement Company.
Highland Security Company.
Highland Varnish Company.
Highlander Mill and Mining Company.
Hilbert Company.
Hillcroft Gravel and Developing Company.
Hillsdale Manor Improvement Company.
Hilson Company.
Hingham Consolidated Seam Face Granite Company.
Hitchcock Land Improvement Company.
Holland-American Investment Company.
Holland Development Company.
Holland Improvement Company.
Home Colony Company.
Home Corporation.
Home Delivery Company.
Home Water Company of Long Branch.
Honduras Central Railroad Company.
Hooper Drying Machine Company.
Hotel Columbia Company.
Hotel Ritz Company.
Hough Chemical Company of New Jersey.
Housel-Melvin Mining Company.

Hudson Butterine Company.
Hudson County Real Estate and Building Company.
Hudson County Storage, Trucking and Transfer Company.
Hudson County Water Company.
Hudson Machine and Repair Company.
Hudson Tire and Rubber Company.
Hudson Transportation Company.
Hutton Investment Company.
H. Warshow (Incorporated).
Hygienic Equipment Company.
Ice Company.
Ideal Amusement Company, Inc.
Ideal Cement Block Manufacturing Construction Company.
Ideal Finance Company.
Ideal Plumbing and Heating Company.
Imperial Clothing Company.
Imperial Graphite Company.
Imperial Handkerchief Company.
Imperial Silica Sand Company.
Independent Brewing Company.
Independent Fertilizer Company.
Independent Film Service Company.
Independent Fire Extinguisher Company.
Indian Trading Company.
Industrial Engineering Company.
Industrial Railway Company.
Industrial Securities Company (No. 1).
In New York Company, Inc.
Inter-City Amusement Company.
International Brake Shoe and Foundry Company.
International District Telephone Company.
International Exploitation Company.
International Fuel and Power Company.
International Jewelry Manufacturing Company.
International Kneader Company.
International Lock-Nut and Bolt Company.
International Realty Company.
International Smokeless Furnace Company.
International Taximeter Motor Cab Company.

International Trading and Supply Company.
Interstate Homes and Homesites Company.
Interstate Mining Company.
Inter-State Signal Company.
Interstate Silver Company.
Investment Sales Agency Company.
Ira Robbins Company.
Jackson and Heath, Incorporated.
Jackson Land Company.
Jacques.
J. A. Duerkes and Company, Incorporated.
Jamesburg Light and Water Company.
James Baynes Company.
James E. Brady, Incorporated.
James Leckie and Son Company.
Jay S. Heisler Company.
J. and B. Octagon Fruit Jar Company.
J. E. Bunting Company.
Jenness Automobile and Manufacturing Company.
Jersey Architectural Stone Company.
Jersey Brake Company.
Jersey City Dry Dock Company.
Jersey City Window Cleaning Company.
Jersey Supply Company.
J. Frank Shellenberger Company.
J. G. Mullen Investing Company.
J. I. Collins Printing Company.
J. L. Veronee Amusement Company.
J. M. Gummey and Sons.
J. M. Sweet Company.
John A. Paterson and Company.
John Curtin Plumbing and Heating Company.
John Ramsay and Sons.
John Tobin Manufacturing Company.
Joseph B. Allen Company.
Joseph Sholl Company.
J. T. Reiley Publishing Company, Inc.
Julius Kristeller Manufacturing Company.
Karet and Benjamin Company.
Keansburg Beach Realty Company.
Kehl-Ellis Company.

Kendall Carriage Company.
Kenilworth Glove-Leather Company.
Keswick Grove Land and Improvement Company.
Keystone Oyster Company.
Klenz-All Manufacturing Company.
Knapp Avetta Company.
Knickerbocker Manufacturing Company.
Knickerbocker Mortgage Company.
Knight Coal Company.
Koch Meat Company.
Kremer Construction Company.
La Barr-Wallace Company.
Lafayette Granite Quarry Company.
L. A. Hoffman Son and Company.
La Luciole Company.
Land Buyers' League, Incorporated.
Landis Lithograph Company.
Larsen Mockett Construction Company, Inc., formerly Larsen Construction Company, Inc.
Laurel Manufacturing Company.
Lauster Balloon Railway and Manufacturing Company.
Lawrence Manufacturing Company.
Lawrence Realty Company.
Lawrenz Livery Company.
Lawton Bedell and Company.
Lealtad Copper Mine Company.
Le Grand Bronze Company.
Lewis T. Condon Company.
Liberty Development Company.
Lily Reduction Company.
Lincoln Auto Company.
Linden Construction Company.
Lindsley Manor Land and Improvement Company.
Linville Painless Dental Company.
Lipman Real Estate Company.
Liverpool Land and Improvement Company.
Lock Joint Pipe and Fitting Company.
Longport Casino Company.
Loori Bros. and Company.
Loori, Calitri and Company.
Lorain Steel Motor Company.

Louis Kamm Company.
Lowe and Moeglin Company.
Low Phosphorous Ore Company.
L. S. Shields Company.
Lynwood Park and Amusement Company.
Lyons Building Company.
Macpherson Willard and Company.
Magnolia Realty Company.
Maine Mica Company.
Maine Line Laundry.
Manalapan Holding Company.
Manasquan River Land Company.
Manatee Land and Improvement Company.
Manhattan Agency Security Company.
Manhattan Co-operative Real Estate Company.
Manhattan Distributing Company.
Manhattan Equipment Company.
Manhattan and Essex Auto Express Company.
Marinello System Branch No. One.
Marsh and Curtis Printing Company.
Martin Anderson Company.
Maryland Company.
Maryland Construction Company.
Maryland Ice Company.
Mason Company.
Massette Company.
Matanzas Asphalt Company.
Matthews Shoe Company.
Maxwell Paint Company.
McKee-Craig Company.
Mercantile Finance Company.
Mercantile Law Corporation.
Mercer Coal and Ice Company.
Mercer Electric Manufacturing Company.
Merchandise Clearing House Association.
Merchant Cut Glass Company.
Merchants Express and Transportation Company.
Merchants and Mechanics Building Company.
Merriam Blank Book and Stationery Company.
Metropolitan Bridge and Construction Company.
Metropolitan Furniture Company.

Metropolitan Manufacturing Company.
Metropolitan Specialty Company.
Metropolitan Tartar Company.
Mexicana Urique Mining Company.
Mica Products Company.
Michelin Tire Repair Works.
Middlesex Contracting Company.
Milkhuma Laboratory Company.
Miller Heater Gas and Smoke Consumer Manufacturing Company.
Million Points Coal Company.
Milton T. Elliott and Company, Incorporated.
Mines Company of Mexico.
Mississippi River Gas-Electric Navigation Company.
Model Spring Bed Company.
Modern Equipment and Engineering Company.
Momentum Automatic Brake Company.
Monitor Company.
Monmouth Carriage Company.
Monmouth Sewer Company.
Monmouth Water Company.
Monroe Realty Company.
Montclair Compressed Air Vacuum Cleaning Company.
Montclair Utilities Company.
Montrose Flint Company.
Monumental Granite Company.
Morristown Drug Company.
Mosher Water Tube Boiler Company.
Motor Car Supply Company of New Jersey.
Mountain Lake Ice Company.
Mount Bethel Brick Company.
Mount Vernon Brewing Company.
M. Redgrave Company.
M. T. Lewman and Company, Contractors.
Murray Brothers Company.
Musculene Manufacturing Company.
Musicphone Talking Machine Company.
Mutual Benefit Real Estate Company.
Mutual Bond and Realty Company.
Mutual Construction Company.
Mutual Taxi-Cab Company.

Mutual Transfer Company.
Nantucket Central Railroad Company of New Jersey.
National Bowling Tournament Company.
National Business Methods and Publishing Company.
National Chemical Laboratory.
National Chrome and Chemical Company.
National Construction Company.
National Copper Company.
National Cuba Company.
National Ignition Company.
National Label Press.
National Law and Adjustment Company.
National Lithographing Company of New Jersey.
National Machinery Company.
National Metal Weather Strip Company of Pennsylvania.
National Milk Cap Company.
National Paper Bag Company.
National Park Managers Association.
National Protective Alliance.
National Pyrogranite Company.
National Realty Company.
National Taxameter Company.
Natural Oil and Gas Company.
Nemeth Real Estate Company.
Neutral Water Health Resort.
Neuvo Leon Mexican Railway Company.
Newark Coach Lamp Manufacturing Company.
Newark Fan and Lock Company.
Newark Faucet Company.
Newark Overall Company.
Newark Refuse Company.
Newark-Schub Construction Company.
Newark Sheet Metal Ware Company.
Newark Toilet Novelty Company.
Newcomb Carbureter Company.
New El Dorado Investment Company.
New England Milk Producers Company.
New Idea Hot Water Heating Company of Conn.
New Jersey Boiler Company.
New Jersey Clay Company.

New Jersey Clay Spar and Sand Company.
New Jersey Comfort Shoe Company.
New Jersey Cut Glass Company.
New Jersey Economic Syphon Company.
New Jersey Horse Manure Transportation Company.
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New Jersey Imperial Road Company.
New Jersey Land and Building Company.
New Jersey Oak and Chestnut Company.
New Jersey Operating and Supply Company.
New Jersey Patent Leather Finishing Company.
New Jersey Plaster Company.
New Jersey Press Publishing Company.
New Jersey Realty Company.
New Jersey Specialty Company.
New Jersey Steel Construction Company.
New Jersey Structural Company.
New Jersey Utility Realty Company.
New Jersey Wave-Propelled Motor Company.
New Jersey-West Virginia Bridge Company.
New Jersey Wood-working Company.
Newmex Verde Copper Company.
New Naples Building and Industrial Company.
New River Coal and Coke Company.
New York and Continental Line.
New York Extract Company, Inc.
New York Face Brick Company.
New York Invincible Renovator Sales Company.
New York and New Jersey Amusement Company.
New York and New Jersey Floor Laying and Surfacing Company.
New York and New Jersey Poultry Company.
New York and Palisades Amusement Park Company.
New York and Philadelphia Publishing Company.
New York Steam Fitting Company.
New York Steel and Production Company.
Nicotine Manufacturing Company.
Nienstadt Corporation.
N. L. Hoover Lumber Company, Inc.
Noble Art Association.
No-Col Burner Company.

Noepel Hardware Specialty Company.
Non-Blow-Out Auto Tire Company.
North American Silk Company.
Northampton Slate Company.
North Hudson Building Company.
North Jersey Investment Company.
North Sea Isle City Cottage Association.
Northern Dredging Company.
Northwestern Interurban Railway Company.
Notahook Company.
Oakdale Land and Improvement Company.
Oakside Park Company.
O'Brien Electrical Tubular Lamp Company.
O'Brien Rubber Thread and Webbing Company.
Ocean County Realty Company.
Ocean Grove Park Association.
Ocean Realty Company.
Office Equipment Company.
O. Hermance Havana Cigar Company.
Oil Bath Lubricator Company.
O'Keefe Brothers Company.
Old Mill Company.
Ontario Novelty Company.
Orange Building and Construction Company.
Orange Chronicle. Company.
Oregon Construction Company.
Oriental Dragee Company.
O'Rourke Dry Dock Company.
Ott Manufacturing Company.
Ouachita Valley Construction Company.
O. V. Ball Cutlery Company.
Overbrook Company, Inc.
Overpeck Building Company.
Owners' Repair and Maintenance Company.
Oyster Bay and Cold Spring Transportation Company.
Palisade Silk Company.
Pan-American Portland Cement Company.
Pansy Lumber Company.
Paper Improvement Company.
Papermeter Company.
Parkhurst Company.

Passaic Buckram Manufacturing Company. .
Passaic Chemical Company.
Passaic Construction Company.
Paterson Finance Company.
Paterson Real Estate Improvement Company.
Paterson Union Ball Club.
Pecks Beach Real Estate Company.
Peerless Vending Machine Company.
Pelham Market Company.
Pennsylvania Exploration Company.
Pennsylvania Machinery Company.
Pennsylvania Marble and Granite Company.
Pennsylvania Sewer Company.
Penn Tile Works.
Penobsquis Lumber Company.
Pensauken Brick Company.
People's Business Brokers.
Pepsol Pharmaceutical Company.
Perfection Go-Cart Company.
Perfect Wall Plaster Company.
Perseverance Society.
Personal Liberty Publishing Company.
Perth Amboy Building Company.
Perth Amboy Ceramic Company.
Peter Hagan Company.
Peters Harness and Saddlery Company.
Petrifoid Company.
Pharmaceutical Specialty Company.
Philadelphia Beef and Provision Company.
Philadelphia and Camden Construction Supply Company.
Philadelphia Glass Works Company.
Philadelphia Institute for the Cure of Stammerers.
Philadelphia Scenograph and Amusement Company.
Philadelphia Tabasco Banana Company.
Phillipsburg Brewing Company.
Phœnix Fire Extinguisher Company.
Phœnix Lead Company.
Phœnix Securities Company.
Physical Culture City Land Company.
Physicians and Druggists Co-operative Chemical Company.

Pierce Well Engineering and Supply Company.
Pitch Pine Lumber Company.
Pittsburg Block Coal Company.
Pittsburg Bowling Tournament Association.
Pittsburg Coaster Construction Company.
Pittsburg Finance and Securities Company.
Pittsburg and New Jersey Realty Company.
Pittsburg Reduction and Incineration Company, Inc.
Pittsburg Specialty and Supply Company.
Pittsburg Springless Lock Company.
Pittsburgh Lead Mining and Smelting Company.
Plates and Hatfield Company.
P. Mortimer Lewis, Jr., Incorporated.
Pneumatic Machine Manufacturing Company.
Poinsettia Pharmacal Company.
Point Pleasant-Bay Head Ice and Coal Company.
Polish Publishing Company.
Popular Laundry Company.
Porcelain Faced Brick Company.
Printers Co-operative Type Founders Company.
Producers and Consumers International Equity Union and Co-operative Exchange.
Prospect Terrace Company.
Prosperity Real Estate Company.
Providence Leather Company.
Prudential Medical Aid Company.
Public Advertising Company.
Public Printers Company.
Publishers Auxiliary.
Pulaski Land and Improvement Company.
Purcell Real Estate Company.
Pure Food and Ice Company.
Quaker City Lock Company.
Quaker City Paper Company.
Quinn Coal Company.
Radel and Mentz Leather Company.
Rahner Company.
Rand Amusement Company.
Rapid Boat Company.
Raven Mining Company.
R. A. Williams Company.
Raymond-van Praag Supply Company.

Realty Board of Trade.
Realty and Construction Company.
Realty Corporation of Passaic County.
Realty Development Company (No. 1).
Realty Mortgage and Investment Company of New Jersey.
Red Bank Hotel Company.
Red Mill Tobacco Company.
Red Star Trading Stamp Company.
Reed and Auerbacher Company.
Reeves Engine and Machine Company.
Reeves Foundry Company.
Reinforced Concrete Construction Company.
Reinhardt Light Company.
Reinhardt Superheating Gas Burner Company.
Reliable Credit Clothing Company.
Reliable Sash and Door Company.
Reliance Steel Foundry Company.
Removable Barrel-Head Manufacturing Company.
Reograph Company.
Republic Coal Company.
Republic Wood Pavement Company.
Revere Beach and Nahant Transportation Company.
Richmond Paint and Chemical Company of New Jersey.
Riddell-Born Company.
Riding and Driving Club of Orange.
Righter Lumber Company, formerly Righter-Parry Lumber Company.
Riparian Rights Company.
Rittenhouse Garage.
River Front Land Company.
Rixson Coal Company.
R. Loewenherz and Company.
Roberti and Casale Self-Running Fan and Keyless Lock Company.
Robert Viewig Mining Company.
Robins Rail Joint Company.
Rock Plaster Company of New York and New Jersey.
Rodburg, Zwillman Coal Company, formerly Rodburg, Silodor Coal Company.
Roselle Park Realty Company.
Roseville Golf Land Company.

Rotary Internal Combustion Engine Company.
Royal Laundry Machinery Company.
Royal Rubber Shoe Company.
Sabine Oil and Marketing Company.
Safety Electric Operating Company.
Safety Ink Company.
St. John Kneipp's Sanitarium.
St. Luke Remedies Company.
Salem Hill Coal Company.
Salem Knitting Mills.
Salem Nail Company.
Sangiacomo Company.
Sanitary Hot Water Radiator Company.
Sanitary Shield Company.
Sanitary Utilization Company of New Jersey.
Sanitary Vending Company.
San Jose Land and Fruit Company.
San Vicente Finance Company.
Savacool and Carhart Company.
Schmidt Realty and Construction Company.
Schuylkill County Sand Company.
Schwab-Kepner Company.
Seaboard Copper Company.
Seacoast Hotel Company.
Sea Girt Supply Company.
Sea Isle City Press.
Sea Water Baths Company.
Security Guaranty Company.
Seidemann and Wise, Incorporated.
Selah Manufacturing Company.
Semi-Dry Battery Company.
Senarcala Guano Company.
Sewell's Point and Cold Spring Harbor Transportation Company.
Seymore Oil Company.
Shamokin Kline Buss Explosive Company.
Sharpless Butter Company.
Shaw Manufacturing Company.
Sherman Market Company.
S. H. Truitt and Company.
Simplex Roller Bearing Plate Company

New Jersey State Library

Sindia Salvage Company.
Slip-Not Hardware Company.
Smith and Davis Company.
Smith's Patent Compound Cork Company.
Solderless Pipe Connector Company.
Somerset Real Estate Coal Company.
South Jersey Company.
South Jersey Automatic Machine Company.
South River Magyar Trading Society.
South Western Engineering and Construction Company.
Southern Building Company.
Southern Coal and Timber Company.
Southern Electric Securities Company.
Southern Lands Company.
Southern Telegraph Association.
Sparkler Development Company.
Squire Syndicate.
S. S. Bung Company.
Stadium Amusement Company.
Stallman and Fulton Company.
Standard Asbestos Company.
Standard Automobile Company.
Standard Brick Company.
Standard Engineering Company, formerly Stewart Engineering Company.
Standard Feed Company.
Standard Harrow Company.
Standard Improvement and Artificial Stone Company.
Standard Instrument Company.
Standard Laundry Machinery Company.
Standard Live Stock Company.
Standard Mercantile Company.
Standard Power Company.
Standard Realty Company.
Standard Realty Improvement Company.
Standard Supply Company.
Standard Towel Company.
Star Motor Car Company.
Star Petroleum Transportation Company.
Steel King Patent Railroad Truck Guard Company.

Steiger Embroidery Company.
Sterling Supply and Equipment Company.
Steward Sanitary Can Company of Delaware, Maryland and Virginia.
Stirling Silk Manufacturing Company.
Stitt Publishing Company.
Stone Quarries Company.
Storm Umbrella Company.
Suburban Homes Construction Company.
Suburban Water Supply Company.
Summit Baking Company.
Summit Construction Company.
Summit Motor Car Company.
Sun Power Company.
Sunset Inn Company.
Supreme Combination Water Heater Company.
Surf City Land and Improvement Company.
Sussex Smelting Company.
S. and V. Scarnecchia Mason and Building Company.
Swift Auto Garage Company.
Sylvester Leeds Company.
Symes Company.
Tabasco Produce Company.
Taxi Motor Cab Company of Boston.
Taylor Silk Manufacturing Company.
Taylor-Stites Supply Company.
Tenafly Auto and Supply Company.
Tenafly Realty Company.
Terrace View Realty Company.
Thinkers Club.
Thompson Safety Appliance Company.
Tidewater Shook Company.
Tierra Del Fuego Gold Fields Company.
Tiffany Jewelry Company.
Tioga Lumber Company.
Tompkins Estate Company.
Toms River Estates Corporation.
Tonopah Liberty Mining Company.
Topoma Company.
Towner-McKenna Company.
Traders Paper Board Company.

Trades' Supply Company.
Transatlantic Speed Variator Company.
Trenton Auto-Garage and Supply Company.
Trenton Fire Brick Company.
Trenton Stone and Construction Company.
Trinity Springs Company.
Tubular Steel Axle Company.
Tucker Fruit Company.
Tuxpam Valley Plantation Company.
20th Century Shoe Shop.
Twin Clothing Company.
Twin Lubricator Company.
Uneeda Ice Cream Company.
Union Land and Improvement Company (No. 2).
Union Trap Rock Company, formerly Larsen Trap Rock Company.
Unique Amusement Company.
United Automobile Dealers' Association.
United Box Board and Paper Company.
United Coffee Condensing Company.
United Copper Company.
United Hay Company.
United Hotel Company.
United Industries Corporation.
United Mercantile and Realty Exchange.
United Paint Supply Company.
United Porcelain Faced Brick Company.
United Wire and Cable Companies.
United States Brokers' Exchange.
United States Calculating Machine Company.
U. S. Fog Signal Company.
U. S. Holding Company.
United States Independent Phosphate Company.
United States Optical and Findings Company.
United States Paint Company.
United States Roller Bearing Company.
United States Steel Heddle Company.
United States Supply Company of New Jersey.
United States Window Glass and Machine Company.
Universal Co-operative Association, Inc.
Universal Fertilizer Company.
Universal Lock-Nut and Bolt Company.

Universal Outfitting Company.
Universal Pure Water Company of New Jersey.
Universal Realty and Building Company.
Universal Steel Company.
Universal Wired Box Company.
Vegetable Butter Company.
Velsor Devereux Company.
Vernon Warehouse Company.
Victor Steel Lath Company.
Vigilant Laundry Company.
Vineland Button Company.
Voorhis and Murray Company.
Wagener Piano Company.
Walden Land Company.
Waldwick Wood Association.
Wales Foundry and Manufacturing Company.
Walker Johnson Company.
Walton Farm Squab Company.
Warnick Bilyen and Company.
Warren Ewing Company.
Warren S. Hall Company.
Washington Construction Company.
Washington Contracting Company.
Water, Light and Gas Company.
Waves Power Generating Company.
Waxo Manufacturing Company.
Weehawken Embroidery Works.
Weehawken Realty and Construction Company.
Weehawken Sand and Supply Company.
Weller Manufacturing Company.
Wells Ice Company.
Welte Lumber Company.
West Side Amusement Company.
West Side Cloak and Suit Company of New Jersey.
West Side Knitting Mill Company.
Western Freight Forwarding Company.
Westampton Gravel Company.
Westman Process Company.
Westminster Construction Company.
W. H. Hallowell Company.
White Cross Tonsorial Company.
White-Mylin Furnace Company.
Whitney Pipe Cleaning Company.

Whitney Yeast Company.
Widness Manufacturing Company.
Wieda Machine Company.
William A. Huff Manufacturing Company.
William H. Currie Amusement Company.
William L. Stewart Company.
William Luft Company.
William McShane Company.
William P. Nies Company.
William S. Campbell Amusement Company.
William S. Clark Amusement Company.
William Z. Johnson Company.
Williamson Motor Company.
Willson Mining Company.
Wilson Tile Company.
W. M. Tulloch Company.
Woodbourne Company.
Wood, Watt and Howard.
Wright Formette Company.
Wyoming Valley Stone Company.
Yale's Park Amusement Company.
Yampa Fuel and Iron Company.
Yaquina Valley Fruit and Land Company.
Yard and Kellam Company.
York County Iron 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 my hand and caused the Great Seal to be affixed, at Trenton, this twenty-eighth day of February, one thousand nine hundred and twelve.

WOODROW WILSON,
Governor.

[GREAT SEAL]

By the Governor:
S. D. DICKINSON,
Secretary of State.

Endorsed:
"Filed Feb. 28, 1912.
"S. D. DICKINSON,
"Secretary of State."

Decrees of Dissolution.

(989)

Decrees of Dissolution.

IN CHANCERY OF NEW JERSEY.

In pursuance to the provisions 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.*
American Dry Ornamental Company,	Sept. 21, 1911
Newark Leather Innersoling Manufacturing Company,	March 9, 1912
Star Milk Cooler Company,	March 5, 1912

Change of Corporate Title of Cities

(993)

Change of Corporate Title of Cities.

In pursuance to the provisions of Chapter 200 of the Laws of 1911, the following changes of corporate titles of cities have been filed in the office of the Secretary of State:

"The Mayor, Clerk, and Common Council of the City of Beverly" changed to "City of Beverly," July 24; 1911.

"The Mayor and Aldermen of the City of Paterson" changed to "City of Paterson," January 8, 1912.

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ERRATUM.

Page 622, fifth line from bottom, read "reorganize" for "authorize."