

LAWS—NEW JERSEY  
1921

New Jersey State Library



# ACTS

OF THE

## One Hundred and Forty-fifth Legislature

OF THE

STATE OF NEW JERSEY

AND

## Seventy-seventh Under the New Constitution

Preceded by Additional Acts of 1920,  
(Chapters 354 to 377). .



TRENTON, N. J.

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1921

**New Jersey State Library**



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**ADDITIONAL LAWS OF 1920**

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(1063)



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

THOMAS F. MARTIN,  
*Secretary of State.*



# ADDITIONAL ACTS

PASSED BY

## The One Hundred and Forty-fourth Legislature.

### CHAPTER 354.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one," approved May seventeenth, one thousand nine hundred and twenty.

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

#### SECRETARY OF STATE.

1. To the Secretary of State for the purchase and distribution of additional poll-books, registry books, election laws, copies of the State-Wide Referendum and other books and pamphlets to be used in connection with the primary and general election for the year one thousand nine hundred and twenty, the sum of ..... \$30,000
  2. This act shall take effect immediately.
- Approved September 17, 1920.

Additional  
appropriation  
for election  
purposes.

## CHAPTER 355.

An Act to exempt from taxation for five years certain improvements to real estate.

- Preamble. WHEREAS, The cessation of building during the great war has created a shortage of dwelling houses throughout the State, and congested housing conditions resulting therefrom have seriously affected and endangered the public welfare, health and morals; and
- Preamble. WHEREAS, On account of the high costs of construction growing out of the great war and conditions resulting therefrom, private capital has been unwilling to undertake the construction of dwelling houses sufficient to meet the public emergency caused by such conditions; and
- Preamble. WHEREAS, It is deemed necessary to encourage the investment of private capital in the construction of dwelling houses during such emergency; and
- Preamble. WHEREAS, The measure hereinbelow set forth, by its terms and provisions, will not in any way reduce the amount of returns receivable from present ratables throughout the State, and will eventually result in a greatly increased volume of ratables; therefore

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

- Tax exemptions. 1. No taxes shall be levied, assessed or collected for a period of five years from October first, nineteen hundred and twenty, on any improvements to real estate which may be erected between October first, nineteen hundred and twenty and October first, nineteen hundred and twenty-two, for dwelling purposes; *provided*, that
- Proviso. if, during said five years, improvements for dwelling purposes, greater in value than the existing improvements shall be placed upon any real estate, the amount of assessments on such improvements shall in no case, except that of damage through action of the elements, sufficient to warrant a reduction, be less than the assess-

ment for improvements thereon existing at the date of the passage of this act.

2. This act shall take effect immediately.

Approved September 17, 1920.

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CHAPTER 356.

An Act to amend an act entitled "An act for the assessment and collection of taxes (Revision of 1918)," approved March fourth, one thousand nine hundred and eighteen.

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

1. Section four hundred and one of Article IV of the act to which this act is an amendment is hereby amended to read as follows: Section 401 amended.

401. (1) The assessor shall ascertain the names of the owners of all real property situated in his taxing district, and shall, after examination and inquiry, determine the full and fair value of each parcel of real property situated in the taxing district at such price as, in his judgment, such parcel would sell for at a fair and bona fide sale by private contract on the first day of October next preceding the date on which the assessor shall complete his assessments, as hereinafter required, and in determining such value he shall ascertain, as fully and completely as possible, the amount paid by the owner for such parcel of real estate, if the same came to the said owner through purchase, and also the amount of rents, if any, demanded and received for said parcel during the year next preceding the said first day of October, and give due and full consideration to the same as two of the elements entering into and comprising such value, and said assessor shall make a list in tabular form of the names of the owners, and set down in proper column opposite each name the description and area of each Assessment of real estate.  
Basis of valuation.  
List of owners.

Property held in trust.	parcel sufficient to ascertain its location and extent and the value of each parcel as determined by the assessor.
If owner unknown.	Property held in trust shall be assessed in the name of one or more of the trustees as such, separately from his individual assessment. If the name of the owner of any parcel shall be unknown, it shall be so entered in the list of names, and where an owner is not known to reside in the taxing district, the list shall describe him as nonresident. When the line between taxing districts divides a tract of land, each part shall be assessed in the taxing district where located. In listing the name of owners and properties the assessors shall follow such forms and methods as may be prescribed by the State Board of Taxes and Assessment, and said board may by rule direct the assessor in any taxing district to determine the true value of each parcel of real estate assessed by him without the buildings and improvements, and to note the same on the list, and to determine and note separately the true value of every building and other structure on each parcel, and add and carry out the same as the assessed value of the parcel, and in such case the receipt given for the payment of the tax shall contain such separate valuations. Said board may also by rule direct the assessor in any taxing district to enter on his list separately the number of acres of arable land, of meadow pasture land, of woodland, and of uncultivated upland and swamp land in each parcel as near as can be. The assessor shall enter in a separate list a description of all cemeteries, churches, public buildings and other real property exempt from taxation, and all exempted personal property, with the name of the owner, and shall value such land and buildings and personal property at their true value in the same manner as other real and personal property, and in each case he shall state the ground of exemption, and where the compensation of the assessor is a fixed sum per name, he shall receive the same compensation per name for such exemption.
Property in different districts.	
Rules to be followed.	
Character of land entered.	
List of exempted property.	
Assessments by block system or house number.	(2) In taxing districts having adopted block assessment maps, it shall be the duty of the assessor in making assessments for taxes to describe the real property by block and lot numbers as shown upon the assessment

map. In taxing districts having a system of numbering houses by street numbers, it shall be the duty of the assessors to add to any other description of real property required to be made the proper street number of such real property:

(3) In all taxing districts, whether assessment maps have been adopted or not, when any change of ownership of real estate occurs, the new owner may present his deed or other evidence of title to the assessor or other proper custodian of the assessment maps, if any there be, which officer shall properly note and record on the books and maps, if any, the proper change of ownership, and shall certify that he has done so upon the deed or other instrument of transfer, and in case no such certificate shall appear on such deed or instrument, it shall be the duty of the county clerk or register of deeds, with whom such deed or instrument is filed for record, within one week thereafter, to present an abstract of such deed or instrument to such assessor, or other custodian as aforesaid, who shall properly note and record the change. And the county clerk or register of deeds shall not receive such deed or instrument for record unless he is paid the fee of twenty cents for such abstract, and he shall not require any fee from the assessor or custodian for the certification and abstract as aforesaid.

Transfer of ownership of real estate.

Abstract presented.

Recording fee.

2. This act shall take effect immediately.

Approved September 17, 1920.

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#### CHAPTER 357.

An Act regulating lettings in certain cases where no definite term is fixed.

WHEREAS, Certain landlords, taking undue advantage of the great demand which at present exists for dwellings in this State, and for the purpose of coercing tenants into the payment of unjust, unreason-

Preamble.

able and oppressive rents therefor, have made a practice of intimidating tenants into meeting their demands, or dispossessing and evicting them upon such short notice as to make it well nigh impossible for them to secure dwelling accommodations elsewhere; and

Preamble. WHEREAS, Such practice has led to great popular unrest and apprehension, and, in the judgment of the Legislature, threatens the peace, welfare and morals of the State to such extent as to make necessary and advisable the passage of measures which shall tend to allay the present unrest, and restore public peace and confidence; therefore,

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

Giving notice to quit. 1. In any and all tenancies from month to month, or for a less period where no definite term is agreed upon, so long as the tenant pays the rent as agreed upon at the beginning of said letting, and the landlord complies with the terms of the letting, neither landlord nor tenant shall have the right to terminate such letting except upon at least three months' notice in writing to that effect, given by either party to the other, and terminating said letting upon one of the days wherein rent is payable under the terms thereof; *provided*, that this act shall not apply to any tenant who is disorderly, or who shall wilfully damage the premises, or habitually violate the reasonable regulations of the landlord; *provided, further*, that this act shall not apply to farm letting; *provided, further*, that this act shall not apply to any notices heretofore served under existing laws; *provided, further*, that this act shall not be construed to affect or repeal an act entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,' approved March twenty-seventh, one thousand eight hundred and seventy-four," said supplement being chapter LXXV of the Laws of 1889; *provided, further*, that this act shall not apply to hotels or lodging houses.

Three months' notice.

Proviso.

Proviso.

Proviso.

Proviso.

Proviso.

Waiving act void. 2. Any provision of a lease whereby a lessee or tenant waives any provision of this act shall be deemed against public policy and void.

3. This act shall take effect immediately, and shall become inoperative after January first, nineteen hundred and twenty-three. Expiration  
of act.

Approved September 17, 1920.

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CHAPTER 358.

An Act to amend an act entitled "An act providing for the retirement of certain judicial officers and former judicial officers and fixing their compensation when retired," approved April sixteenth, one thousand nine hundred and eight.

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

1. Section one of the act to which this is an amendment, approved April sixteenth, one thousand nine hundred and eight, be and the same is hereby amended so as to read as follows: Section 1  
amended.

1. The Chancellor, Chief Justice, any Associate Justice of the Supreme Court, judge of the Circuit Court or Vice Chancellor who shall have served the State in one or more of the judicial positions named for a period of not less than fourteen years, may retire from such service upon filing his resignation of the judicial office in the office of the Secretary of State, accompanied by the statement that it is so filed for the purpose of taking advantage of the provisions of this act; *provided*, that no one of said judicial officers shall be permitted to retire under the authority of this section who shall be under the age of seventy years. Retirement  
of judicial  
officers.  
  
Resignation  
filed.  
  
Proviso.

2. Section four of the act aforesaid to which this is an amendment be and the same is hereby amended so as to read as follows: Section 4  
amended.

4. Any judicial officer retiring under the provisions of this act shall be paid an annual salary or compensation during the period of his natural life, commencing Pension.

with the date of his resignation, at the rate of one-half of the annual salary he now receives; said salary shall be paid by the State Treasurer monthly, on warrant of the Comptroller, out of any funds appropriated for that purpose or from funds not otherwise appropriated.

Section 5  
amended.

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

Applicants.

5. The provisions of this act shall apply to any former judicial officer otherwise qualified under sections one and two of this act who has heretofore withdrawn from such judicial service to the State by resignation or otherwise; *provided, however*, that the annual salary or compensation to be paid to him as herein provided shall be computed from the date of resignation not however prior to the first day of January, one thousand nine hundred and twenty, and shall be at the rate of one-half of the annual salary now received by the judicial officer holding a like office.

Proviso.

4. This act shall take effect immediately.

Approved September 17, 1920.

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#### CHAPTER 359.

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*:

Act of  
Congress  
accepted.

1. The provisions of the act of Congress, approved June second, one thousand nine hundred and twenty, entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," are hereby accepted by the State of New Jersey.

2. The State Board of Education is hereby designated as the State Board for the purposes of said act of Congress, and is hereby empowered and directed to co-operate, as in said act provided, with the Federal Board for Vocational Education in the administration of the provisions thereof. Said State Board of Education is hereby empowered and directed to do all that is or may be required to secure for the State of New Jersey the benefits of the appropriations under said act of Congress for each and every purpose specified therein.

Co-operation  
for vocational  
rehabilitation.

3. In order to provide for the support and supervision of courses for vocational rehabilitation, the State Board of Education and the State Commission for the Rehabilitation of Physically Handicapped Persons are hereby empowered and directed to prepare jointly a plan of co-operation between said State board and said State commission for the establishment and maintenance of courses in rehabilitation for which joint Federal and State funds in the hands of the State board and State commission respectively may be used. The State Board of Education and the Commission for the Rehabilitation of Physically Handicapped Persons are further empowered and directed to prepare a plan of co-operation between the State Board of Education and the Workmen's Compensation Bureau of the State Department of Labor for carrying out the provisions of the Federal rehabilitation act, said plan to be effective when approved by the Governor.

Plan to be  
prepared  
jointly.

4. The State Treasurer is hereby appointed custodian for all money paid to the State from appropriations under said act of Congress. He shall receive and provide for the proper custody of same. He shall disburse same upon the warrant of the State Comptroller when such disbursement has been certificated by the State Board of Education.

Custodian  
of moneys.

Approved September 17, 1920.

## CHAPTER 360.

An Act to validate and confirm reinstatements of charters of corporations heretofore made.

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

Reinstatements validated.

1. All reinstatements of charters of corporations by the Governor heretofore made, after the same had been forfeited for nonpayment of taxes, are hereby validated and confirmed.

2. This act shall take effect immediately.

Approved September 17, 1920.

## CHAPTER 361.

An Act to limit the jurisdiction of the District Courts of this State, in actions brought to dispossess any person from or to recover the possession of any premises used for dwelling purposes, other than a room or rooms in a hotel, lodging house, or rooming house.

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

Action limited to city or judicial district.

1. From and after the passage of this act, no action or proceeding to dispossess any person from or to recover the possession of any premises used for dwelling purposes, other than a room or rooms in a hotel, lodging house or rooming house, shall be brought except within the territorial limits of the city or judicial district in which such premises are located.

2. This act shall take effect immediately.

Approved September 17, 1920.

## CHAPTER 362.

An Act to amend an act entitled "An act to regulate elections" (Revision of 1920), passed May fifth, one thousand nine hundred and twenty.

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

1. Section one of Article eleven, of an act entitled "An act to regulate elections" (Revision of 1920), approved May fifth, one thousand nine hundred and twenty, be and the same is hereby amended so that it shall read as follows:

Art. XI, sec. 1, amended.

In all municipalities having a population exceeding fifteen thousand as ascertained by the Federal census of one thousand nine hundred and ten, there shall be three days upon which the members of the district boards of registry and election of said municipalities shall meet in the election districts assigned to them for the purpose of preparing registers of the residents of said election districts entitled to vote at the next succeeding general election. The first registration day shall be on the second Tuesday of September of each year between the hours of one P. M. and nine P. M. The second registration day shall be on the fourth Tuesday of September of each year between the hours of seven A. M. and nine P. M. The third registration day shall be on the Tuesday three weeks next preceding the general election between the hours of one P. M. and nine P. M.

Registry days.

2. Section fifteen, of Article eleven, of an act entitled "An act to regulate elections" (Revision of 1920), approved May fifth, one thousand nine hundred and twenty, be and the same is hereby amended so that the same shall read as follows:

Art. XI, sec. 15, amended.

15. The district boards of registry and election in all election districts in the State, outside of municipalities having a population exceeding fifteen thousand, as fixed by this act, shall meet annually on the second Tuesday

Organization.

House to canvass. shall proceed to ascertain and truly and accurately enter in canvassing books, to be provided for that purpose, the names and residences and street numbers, if any, of all legal voters residing within their respective election districts entitled to vote therein at the next ensuing general election by making actual inquiry at every dwelling-house or habitation, or of the head of every family residing therein. In making such enumeration the said district boards of registry and election may divide their election districts into subdivisions, and any two of their number, designated by the chairman and inspector, together and in company, may make the enumeration in such subdivision. The name of every such voter, as aforesaid, whose place of abode shall be in any family or habitation, or who may be casually or temporarily absent therefrom when such enumeration is made, shall be entered in said canvassing-books, but no name shall be entered on such canvassing-books without the concurrence of both of said members, or if said enumeration be made by the entire board without the concurrence of a majority thereof. Said board shall continue such enumeration of voters from day to day thereafter, on successive days, until the same be completed; *provided*, that such enumeration shall terminate on or before the Friday next succeeding. Immediately after the completion of such enumeration the district board of registry and election shall transcribe and make up from his canvassing-books three registers of voters for use at the general election, arranged alphabetically according to surnames, and adding information as to the residences and street numbers, if any, of all persons in their respective election districts entitled to the right of suffrage therein at the next general election. At the same time a correct list of the names entered on said registers of voters with residence and street numbers, if any, to be known as the general election registry list, shall be prepared and certified by the district board of registry and election in handbill form, and shall be posted in some conspicuous public place within such election district on or before the following Tuesday. The canvassing-books duly certified and signed by the dis-

Work divided.

Absentees.

Canvassing days.

Proviso.

Three registers prepared.

List made and posted.

Canvassing books filed with county board.

trict board of registry and election as to their correctness, and the fact that a house-to-house canvass has actually been made, shall be filed with the county board of elections on or before the following Tuesday.

3. This act shall take effect immediately.

Approved September 17, 1920.

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CHAPTER 363.

An Act to amend an act entitled "An act to regulate elections" (Revision of 1920), passed May fifth, one thousand nine hundred and twenty.

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

1. Section ten of Article VIII of an act entitled "An act to regulate elections" (Revision of 1920), approved May fifth, one thousand nine hundred and twenty, be and the same is hereby amended so that the same shall read as follows: Art. VIII, sec. 10, amended.

10. The number of such booths shall not be less than one for every one hundred and fifty persons so registered in such district for the general election and not less than two such booths shall be provided in any polling place. Number of booths.

2. This act shall take effect immediately.

Approved September 17, 1920.

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CHAPTER 364.

A SUPPLEMENT to an act entitled "An act to regulate elections" (Revision of 1920) passed May fifth, one thousand nine hundred and twenty.

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

1. The members of each district board of registry and election, appointed pursuant to the provisions of Additional pay for election officers.

the act to which this act is a supplement, in addition to the compensation received under the provisions of said act, shall for the year one thousand nine hundred and twenty be entitled to have and receive for services rendered a sum equal to twenty-five per centum of the amount now received, which additional compensation shall be paid in the same manner as compensation is now paid under the act to which this act is a supplement.

2. This act shall take effect immediately.

Approved September 17, 1920.

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CHAPTER 365.

A SUPPLEMENT to an act entitled "An act to regulate elections (Revision of 1920), passed May fifth, one thousand nine hundred and twenty.

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

Additional  
poll books.

1. In all municipalities having a population in excess of fifteen thousand inhabitants there shall be provided for each district board of registry and election therein one additional poll book. Such additional poll books shall be furnished by the Secretary of State to the municipal clerk, and shall by him be delivered to each district board of registry and election at the same time the ballot-boxes are delivered. Such additional poll book shall be used by each district board of registry and election in conjunction with a poll book provided by the act to which this act is a supplement.

Act limited  
to 1920.

2. This act shall take effect immediately, but shall be applicable only for the year one thousand nine hundred and twenty.

Approved September 17, 1920.

## CHAPTER 366.

An Act to amend an act entitled "An act to regulate elections (Revision of 1920), passed May fifth, one thousand nine hundred and twenty.

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

1. Article XVI, section four, is hereby amended to read as follows: Art. XVI, sec.  
4, amended.

4. In counting the ballots said board shall deem and take to be null and void all ballots which are wholly blank, or on which more names have been marked for every office than there are persons to be elected to such office, and on which both "Yes" and "No" have been marked upon every public question. All ballots still remaining in the ballot-box after ballots equal in number to the number of names of voters in the poll-book, inclusive of void ballots, shall be deemed and taken to be null and void. Any ballot which shall have either on its face or back, any mark, sign, designation or device whatsoever, other than is permitted by this act, shall be null and void; *provided, however*, that no ballot shall be invalid by reason of the fact that the mark made in the square is not a perfect  $\times$  or plus  $+$  or is not entirely within the square, if said mark is substantially a cross  $\times$  or plus  $+$  and is substantially within said square; *provided, further*, that no ballot shall be declared invalid by reason of the fact that the mark made with ink appears bluish or the mark made with lead pencil appears greyish; *and provided, further*, that no ballot cast for any candidate shall be invalid by reason of the fact that the name of such candidate may be misprinted, or his Christian name or initials may be omitted; *provided, further*, that no ballot cast for any candidate shall be invalid by reason of the use of any paster permitted by this act on which the name of such candidate may be misprinted or part of his Christian or surname or initials may be omitted, or that by reason of the fact that the voter in writing the name of such candidate may misspell the same or omit part of his Christian or surname or initials. Ballots void.  
  
Proviso.  
  
Proviso.  
  
Proviso.  
  
Proviso.

2. This act shall take effect immediately.

Approved September 17, 1920.

## CHAPTER 367.

An Act validating certain sales of lands, tenements, hereditaments and real estate sold for unpaid taxes or assessments.

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

Validating  
certificate  
of sale.

1. No sale of any lands, tenements, hereditaments or real estate for unpaid taxes or assessments heretofore made in any taxing district in this State shall be invalid, because the certificate of sale was not delivered to the purchaser within the time prescribed by law; but every such certificate of sale, shall be of full force and effect irrespective of the time of the delivery thereof to such purchaser.

2. This act shall take effect immediately.

Approved September 17, 1920.

## CHAPTER 368.

An Act authorizing the governing body of any village in this State to pay a bonus to the employes of the police department.

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

Bonus for  
village police.

Proviso;  
bonus limited.

Act operative.

1. The governing body of any village in this State is hereby authorized and empowered to pay a bonus to the employes of the police department; *provided, however*, that such bonus shall not exceed thirty per centum of the present salary of any such employee to whom the same is paid. The governing body shall provide by resolution or ordinance for the payment of such bonus.

2. This act shall take effect immediately and shall be operative notwithstanding the provisions of any law to the contrary.

Approved September 17, 1920.

## CHAPTER 369.

An Act to exclude from any census returns in counties the population of United States military cantonments or encampments when estimating the amount of official salaries where fixed or based by statute upon population.

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

1. In all cases where it is provided by law that the salaries of officials in any county shall be estimated and paid in accordance with any classification as to population based upon census returns, such estimation of population for such purposes shall not include population of United States military cantonments or encampments located within the boundaries of any such county in whole or in part, but such estimation of population by census shall be based upon such census returns excluding therefrom all population which would not be enumerated were no such United States military cantonment or encampment existing within the confines of such county.

2. This act shall take effect immediately.

Approved September 17, 1920.

Military camps excluded in fixing county salaries.

## CHAPTER 370.

An Amendment to an act entitled "An act to regulate elections (Revision of 1920)," passed May fifth, one thousand nine hundred and twenty.

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

1. Section fifteen, Article XV of the act to which this act is an amendment, is hereby amended to read as follows:

15. Whenever the State convention of a political party shall have nominated candidates for electors of

Art. XV, sec. 15, amended.

Certification of nominations for electors.

President and Vice-President of the United States, as herein provided, said convention shall certify said nomination in a written or printed or partly written and partly printed certificate of nomination. Said certificate of nomination shall contain the name of each person nominated, his residence and post-office address, the office for which he is named, and shall also contain in not more than three words the designation of the party or principles which such convention or nominating body represents. The names of the candidates for President and Vice-President for whom such electors are to vote may be included in the certificate. Said convention may also appoint a committee to whom shall be delegated the power to fill vacancies occasioned by any cause and the names and addresses of said committee shall be included in said certificate. Said certificate shall be signed by the presiding officer and secretary of such convention or nominating body, who shall add to their signatures their respective places of residence and post-office addresses, and severally make oath before an officer qualified to administer the same that the affiants were respectively such officers of such convention and that said certificate and the statements contained therein are true as they verily believe. A certificate that such oath has been taken shall be made and signed by the officer administering the same and endorsed upon or attached to such certificate of nomination. Enclosed upon or attached to said certificate shall be statements in writing that the persons named therein accept such nominations. Said certificate of nomination and the acceptances thereof shall be filed with the Secretary of State at least twenty-five days previous to the general election at which such electors of President and Vice-President of the United States are to be voted for. All objections to said certificates of nomination; the determination of the validity of such objections; the correction of defective certificates and the presentation of said certificates and any documents attached thereto shall be the same as herein provided for direct petitions of nomination.

Committee on vacancies.

Acceptance.

Time for filing.

Objections.

2. This act shall take effect immediately.

Approved September 17, 1920.

CHAPTER 371.

An Act making further appropriations for the support of the agencies of the State government in this act enumerated, for the purpose of meeting deficiencies in appropriations for the fiscal year ending June thirtieth, one thousand nine hundred and twenty.

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 to meet deficiencies in appropriations for the fiscal year ending June thirtieth, one thousand nine hundred and twenty, and such amounts shall be available only for expenditures or claims incurred during said fiscal year:

Additional appropriations for various purposes.

1.

NEW JERSEY SCHOOL FOR THE DEAF.

To the New Jersey School for the Deaf, .. \$1,080 21

2.

DEPARTMENT OF MUNICIPAL ACCOUNTS.

To the Department of Municipal Accounts, \$150 00

3.

CIRCUIT COURT JUDGES.

To Circuit Court Judges, ..... \$10,954 54

4.

COMMISSIONERS OF THE PALISADES INTERSTATE PARK.

To the Commissioners of the Palisades Interstate Park, ..... \$4,194 74

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5.

STATE ATHLETIC COMMISSION.

To State Athletic Commission, . . . . . \$3,012 64

6.

TEACHERS' RETIREMENT FUND.

To the Teachers' Retirement Fund, . . . . . \$1,242 00

7.

TRENTON BATTLE MONUMENT ASSOCIATION.

To the Trenton Battle Monument Association, . . . . . \$350 00

8.

STATE HOUSE COMMISSION, DEPARTMENT OF CUSTODIAN.

To the State House Commission, Department of Custodian, . . . . . \$14,736 75

9.

MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

To the Manual Training and Industrial School for Colored Youth, . . . . . \$6,414 93

10.

INSTITUTIONS AND AGENCIES.

To Institutions and Agencies, . . . . . \$2,577 93

11.

SECRETARY OF STATE, MOTOR VEHICLE DEPARTMENT.

To the Secretary of State, Motor Vehicle Department, . . . . . \$1,541 74

Payment of above amount to be made from the receipts of the department, pursuant to Chapter 235, Laws of 1909.

## 12.

## SANATORIUM FOR TUBERCULOUS DISEASES.

To the Sanatorium for Tuberculous Diseases, ..... \$2,169 84

## 13.

## STATE INSTITUTION FOR FEEBLE-MINDED.

To the State Institution for Feeble-Minded, \$19,437 97

## 14.

## NEW JERSEY STATE PRISON.

To the New Jersey State Prison, ..... \$24,954 53

## 15.

## STATE HOME FOR BOYS.

To the State Home for Boys, ..... \$14,773 84

## 16.

## HOME FOR DISABLED SOLDIERS, KEARNY.

To the Home for Disabled Soldiers, Kearny, \$3,607 03

## 17.

## BOARD OF COMMERCE AND NAVIGATION.

To the Board of Commerce and Navigation, ..... \$765 00

## 18.

## STATE PRINTING BOARD.

To printing and circulating laws, ..... \$5,000 00

## 19.

## ANNUITY FOR WIDOWS OF GOVERNORS.

For annuities for widows of Governors of New Jersey, ..... \$422 20

How expended.

The moneys hereby appropriated shall be expended in the same manner as is now provided by the provisions of 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 June thirtieth, one thousand nine hundred and twenty," approved April seventeenth, one thousand nine hundred and nineteen.

2. This act shall take effect immediately.  
Approved November 8, 1920.

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CHAPTER 372.

A Supplement to an act entitled "An act making appropriations for the support of the State Government, and for several public purpose for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one." Approved May seventeenth, one thousand nine hundred and twenty.

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, are hereby appropriated out of the State fund for the purposes herein specified:

Department of Agriculture,	
For combating the gypsy moth, . . . . .	\$112,000.00
Legislature,	
Indexing Journal and Minutes, and	
other incidental and contingent ex-	
penses, . . . . .	1,000.00

2. This act shall take effect immediately.  
Approved November 8, 1920.

CHAPTER 373.

A Supplement to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one," approved May seventeenth, one thousand nine hundred and twenty.

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 June thirtieth, one thousand nine hundred and twenty-one:

Additional appropriations for Borden-town school.

E. EDUCATION,

E. 6. Manual Training and Industrial School, for Colored Youths:

Additions and improvements; completing administration building and principal's house, .....	\$4,940.00
Addition to trades building, .....	3,350.00

2. This act shall take effect immediately.

Approved November 8, 1920.

## CHAPTER 374.

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

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

Act amended I. An act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," which supplement was approved September seventeenth, one thousand nine hundred and twenty, be and the same hereby is amended to read as follows:

Act of Congress accepted. 1. The provisions of the act of Congress, approved June second, one thousand nine hundred and twenty, entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," are hereby accepted by the State of New Jersey.

Administration. 2. The State Board of Education is hereby designated as the State Board for the purposes of said act of Congress, and is hereby empowered and directed to cooperate, as in said act provided, with the Federal Board for Vocational Education in the administration of the provisions thereof. Said State Board of Education is hereby empowered and directed to do all that is or may be required to secure for the State of New Jersey the benefits of the appropriations under said act of Congress for each and every purpose specified therein.

Co-operation in carrying out plans. 3. In order to provide for the support and supervision of courses for vocational rehabilitation, the State Board

of Education and the State Commission for the Rehabilitation of Physically Handicapped Persons are hereby empowered and directed to prepare jointly a plan of co-operation between said State Board and said State Commission for the establishment and maintenance of courses in rehabilitation for which joint Federal and State funds in the hands of the State Board and State Commission respectively may be used. The State Board of Education and the Commission for the Rehabilitation of Physically Handicapped Persons are further empowered and directed to prepare a plan of co-operation between the State Board of Education and the Workmen's Compensation Bureau of the State Department of Labor for carrying out the provisions of the Federal rehabilitation act, said plan to be effective when approved by the Governor.

4. The State Treasurer is hereby appointed custodian for all money paid to the State from appropriations under said act of Congress. He shall receive and provide for the proper custody of same. He shall disburse same upon the warrant of the State Comptroller, when such disbursement has been certificated by the State Board of Education.

Custodian  
of funds.

5. This act shall take effect immediately.

Approved December 17, 1920.

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CHAPTER 375.

A Supplement to an act entitled "An act to fund floating indebtedness, and authorizing and directing the funding of floating and other indebtedness in any municipality and county in this State," approved April fifth, one thousand nine hundred and twenty.

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

1. The time for the issuing of floating indebtedness bonds or floating indebtedness notes for the purpose of refunding floating indebtedness, as provided in section

Time to  
issue floating  
indebtedness  
bonds ex-  
tended.

6 of the act to which this is a supplement, be and hereby is extended to March first, one thousand nine hundred and twenty-one, and not thereafter, and for that purpose all proceedings necessary for the issuing of said bonds or notes within said extended time, shall be valid and effectual, and said bonds or notes shall be as valid and binding as though issued within the time limited in the act to which this is a supplement.

2. This act shall take effect immediately.  
Approved December 17, 1920.

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CHAPTER 376.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one," approved May seventeenth, one thousand nine hundred and twenty.

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

Additional  
appropriation  
for pension.

1. The following sums, or so much as may be necessary, be and they are appropriated out of the State fund for the following purpose:

H. PENSION AND RETIREMENT FUNDS.

H. 5. For the purpose of carrying out the provisions of Chapter 358, Laws of 1920, . . . . \$6,500

2. This act shall take effect immediately.  
Approved December 17, 1920.

CHAPTER 377.

An Act concerning cities of the third class.

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

1. All cities of the third class in the State which have contracted with any board of chosen freeholders, by ordinance or resolution, to pave streets and construct curbing in said cities of the third class, and where the same is to be paid for by the city, and where the work has been done by the board of chosen freeholders, and where the said city has not paid the cost of the same, be and they are hereby authorized to pay the said board of chosen freeholders the cost of such improvements. Paying for paving and curbing.

2. Said cities of the third class be and they are hereby authorized to issue bonds, or temporary improvement notes or bonds, or certificates of indebtedness to provide for the payment of such improvements, the issuance of such notes or bonds or certificates of indebtedness, shall in all other ways comply with chapter 252, 1916, as amended. Bond issue.

3. This act shall take effect immediately.

Approved December 17, 1920.



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INDEX TO ADDITIONAL LAWS OF 1920.  
(Chapters 354 to 377.)

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LAWS—NEW JERSEY  
1921



# ACTS

OF THE

**One Hundred and Forty-fifth Legislature**

OF THE

STATE OF NEW JERSEY

AND

**Seventy-seventh Under the New Constitution**

TRENTON, N. J.

MACCRELLISH & QUIGLEY Co., STATE PRINTERS

1921

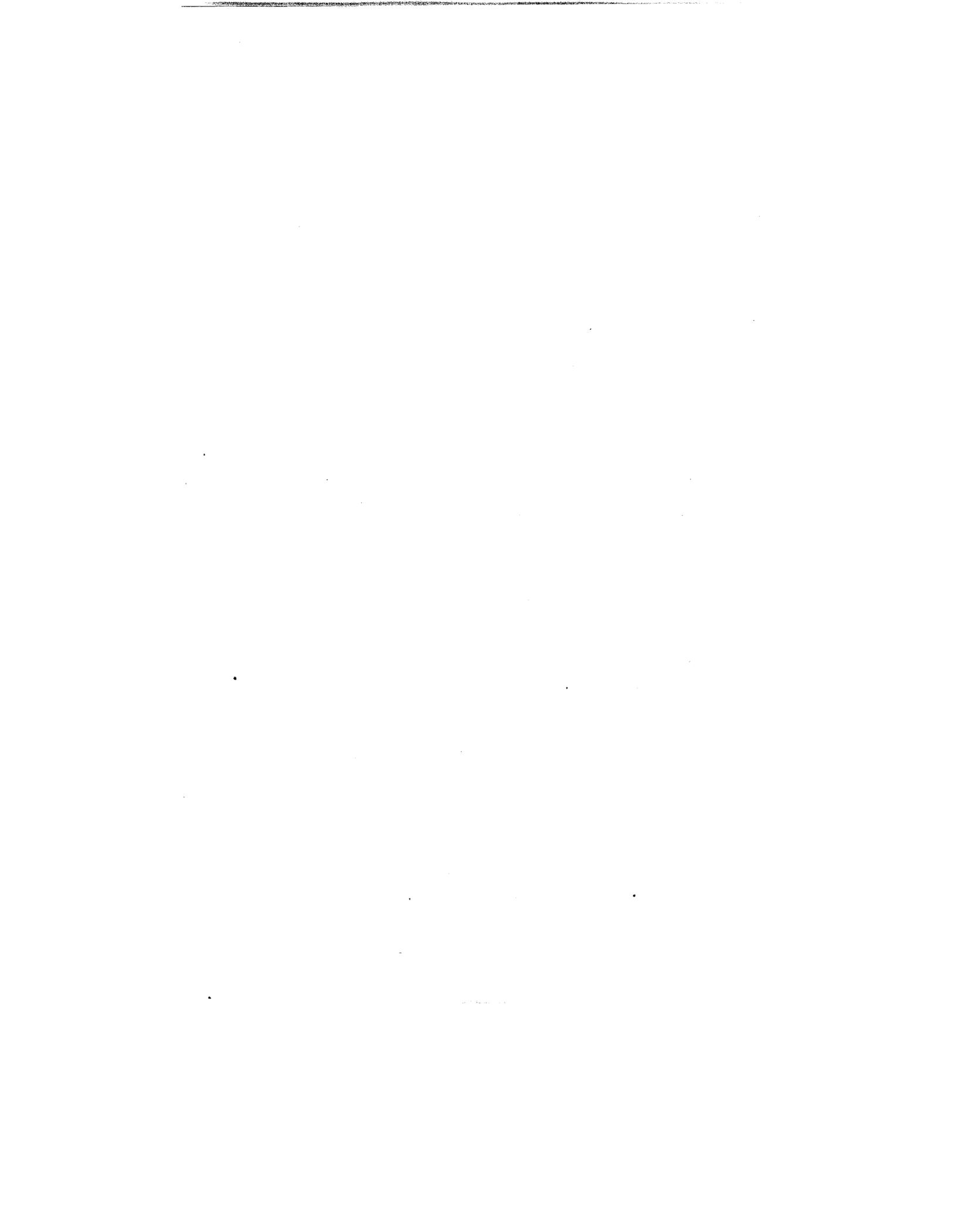


The following laws, passed by the One Hundred and Forty-fifth Legislature, are published in accordance with "An act for the publication of the laws," passed June 13th, 1895, and "A supplement to the act entitled 'An act relative to statutes,' " approved March twenty-seventh, eighteen hundred and seventy-four,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

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

THOMAS F. MARTIN,

*Secretary of State.*



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**One Hundred and Forty-fifth Legislature**  
OF NEW JERSEY.

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# L A W S

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# ACTS

PASSED BY THE

## One Hundred and Forty-fifth Legislature.

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### CHAPTER I.

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

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

1. Section eight 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, as amended March twenty-seventh, one thousand nine hundred and twelve, be, and the same is hereby amended so as to read as follows:

Section 8  
amended.

8. Overseers of the poor shall be appointed by the municipal governing body at the first annual meeting

Appointment.

- Term.** 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.
- Removal.**
- Women eligible.** Females of full age shall be eligible to appointment as overseers in all municipalities.
- Qualifications.** 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.
- Salaries.** 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.

2. This act shall take effect immediately.

Approved February 1, 1921.

EDWARD I. EDWARDS,

*Governor.*

## CHAPTER 2.

An Act to amend an act entitled "An act concerning free public libraries," approved April fourteenth, one thousand nine hundred and five.

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

I. Section eleven of the act of which this act is amendatory, be and the same is hereby amended so that it shall read as follows: Section 11 amended.

11. When, in the judgment of the board of trustees of the free public library in any city, town, township, borough, village or other municipality of this State that shall accept the provisions of this act or has heretofore established a free public library pursuant to law, it is advisable to purchase lands or to erect buildings thereon, or both, or to enlarge or alter any building already erected thereon, for the purpose of a free public library, said board of trustees may certify to the common council, or other board or body having charge of the finances of such city, town, township, borough, village or other municipality the amount of money, in addition to such moneys as they may have on hand applicable to such purposes, necessary for the purpose of making such purchase of land, the erection of buildings or other improvements thereof, and shall also certify therewith the total amount of moneys and funds belonging to the trustees of such free public library available for the purchase of lands or erection of buildings, and an estimated account of the amount necessary for the maintenance of the said library for the balance of the then current year, and thereupon such common council, or other body or board, may, by resolution, at its discretion and with the approval of the mayor of such city, town, township, borough, village or other municipality, authorize and empower the board of trustees of said free public library to expend such sums of money, Procedure to secure funds for buildings. Expenditures.

Library building.	<p>in addition to the moneys belonging to it and not needed for the expenses of maintenance for the remainder of the then fiscal year, as to such common council, or such other body or board, may seem proper for such purposes, not to exceed, however, the amount certified as aforesaid by the board of trustees of the free public library; and upon the passage of such resolution the board of trustees of said free public library shall be empowered and authorized, by and with the consent of the mayor of such city, town, township, borough, village or other municipality, to purchase real estate, and to erect buildings and make improvements thereon, and to expend moneys therefor to the amount of such appropriation and surplus; <i>provided, however,</i> that no lands shall be purchased for the purpose of erecting thereon a free public library building except where the concurrence of such common council, or such other body or board, which concurrence shall be expressed by resolution of such common council, or such other body or board by and with the approval of the mayor of such city, town, township, borough, village or other municipality. The title of real estate so purchased shall be taken in the name of such city, town, township, borough, village or other municipality, but the use and control of the same shall be in such board of trustees of the free public library so long as it shall be used for free public library purposes.</p>
Proviso.	
Title in name of municipality.	
Section 13 amended.	<p>2. Section thirteen of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows:</p>
Appropriation for furnishing library.	<p>13. Any city, town, township, borough, village, or other municipality that shall accept the provisions of this act, or that has heretofore established a free public library pursuant to law, and has purchased or shall purchase lands, and has erected or shall erect buildings thereon, or both, for the purposes of a free public library, and has made or shall make appropriations therefor under this act, is hereby authorized to make additional appropriation for the equipment furnishing and decorating of such library building in manner following: The board of trus-</p>
Amount determined.	

tees of such public library shall certify to the common council or other board or body having charge and control of the finances of such city, town, township, borough, village, or other municipality the amount necessary for the equipment, furnishing and decorating of such library building, and thereupon such common council or other body or board may by resolution, at its discretion and with the approval of the mayor of such city, town, township, borough, village, or other municipality, make appropriation of such money and authorize and empower the board of trustees of such free public library to expend such sum of money and upon the passage of such resolution the board of trustees of such public library shall be empowered and authorized to enter into contracts for such equipment, furnishing and decorating, and to expend money therefor to the amount of such appropriation.

3. Section fourteen of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows: Section 14 amended.

14. Any city, town, township, borough, village, or other municipality that shall hereafter accept the provisions of this act or has heretofore established a free public library pursuant to law shall have power to create and issue bonds for the acquiring of lands, the acquiring and erection and improvement of buildings and appliances for library purposes, and the equipment, furnishing of library buildings, such bonds to bear interest not exceeding the rate of five per centum per annum and to be sold at not less than par, and to be issued for such time and under such terms and conditions as shall be prescribed by the common council or other body or board having charge of the finances of the city, town, township, borough, village, or other municipality; and such bonds may contain such provisions for a sinking fund and for payment as said common council or other body having charge of the finances of said city, town, township, borough, village or other municipality shall determine; and such city, town, township, borough, village or other municipality shall make provision by general taxation for the payment of the principal and interest of the said Bond issue for lands, building, furnishings.

Sinking fund to meet payment.

Amount of  
bond issue.

bonds. In case the powers of any such city, town, township, borough, village or other municipality to issue bonds are now limited by law to be a fixed percentage of the assessed value of its taxable property, such city, town, township, borough, village or other municipality shall have power to create and issue bonds in the manner and for the purposes above set forth to the extent of one-half of one per centum of the assessed value of its taxable property in excess of such limit now existing.

Section 19  
amended.

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

Tax levy.

19. When, at such election, the majority of the voters of such municipality authorize such union the governing body thereof shall levy a tax of not less than one-third of a mill upon the dollar of assessment for the support of such union library.

5. This act shall take effect immediately.

Approved February 1, 1921.

---

### CHAPTER 3.

An Act to permit the mayor in certain cities having a common council, city council or board of aldermen, to vote at the organization of said body in certain cases.

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

Mayor may  
vote at  
organization  
of council  
when a tie.

1. In any city now or hereafter having within its territorial limits a population of not less than fifty thousand nor more than one hundred thousand inhabitants, and having a common council, city council or board of aldermen, whenever such body shall have failed or shall fail to organize for the transaction of business at its first meeting and for a period of ten days there-

after, by reason of a tie vote among its members, or the failure of any candidate to receive a sufficient number of votes to effect his election the mayor shall have the right to vote in said body for the purpose of accomplishing said organization.

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

3. This act shall take effect immediately.

Approved February 7, 1921.

---

CHAPTER 4.

An Amendment to an act entitled, "An act to regulate elections. (Revision of 1920), passed May fifth, one thousand nine hundred and twenty.

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

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

Art. III, Sec. 5 amended.

Office Holding Restrictions.

5. No person shall hold at the same time more than one of the following offices: Elector of President and Vice-President of the United States, member of the United States Senate, member of the House of Representatives of the United States, member of the Senate or of the General Assembly of this State, county clerk, register, surrogate, sheriff or coroner. No person shall

Hold one office at a time.

be elected an elector of President and Vice-President of the United States unless he or she shall possess the qualifications of a legal voter of the State, and shall be of the age of twenty-five years or upwards and shall have been a citizen of the United States seven years next preceding such election; and provided, further,

Qualifications for electors.

that no person shall be elected a member of the House of Representatives, or an elector of President and Vice-

Proviso.

President who shall hold any office of trust or profit under the United States.

Art. V, Sec.  
2 amended.

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

Membership and Organization.

Municipal  
party com-  
mittees.

2. The members of the municipal committees of political parties shall be elected annually by election districts at the primary for the general election in the manner provided in this act for the selection of party candidates to be voted for at the general election by the voters of a municipality. The municipal committee shall consist of four members for each election district, two male and two female members—the two males receiving the highest and the next highest number of votes among the male candidates and the two females receiving the highest and the next highest number of votes among the female candidates shall be declared elected.

Membership.

When take  
office.

The members of said municipal committee shall take office on the first Monday following their election, on which day the terms of all members of such committees theretofore elected shall terminate. The annual meeting of each municipal committee shall be held on the first Monday after the fourth Tuesday in September, at an hour and place to be designated in a notice to be given by the chairman thereof, at which annual meeting the members of each committee shall elect some suitable person as chairman to hold office for one year or until his successor is elected. Such chairman shall preside at all meetings of the committee, and shall perform all duties required of him by law and the constitution and by-laws of such committee. Such municipal committee shall have power to adopt a constitution and by-laws for its proper government. A member of a municipal committee of any political party may resign his office to the committee of which he is a member, and upon an acceptance thereof by the committee a vacancy shall exist. Vacancies caused by death, resignation, failure to elect, or otherwise, in the office of a member of a municipal committee of any political party shall be filled for the unexpired term by the remaining members of said com-

Organization.

mittee in the municipality in which such vacancy shall occur.

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

Art. V, Sec.  
3 amended.

Membership and Organization.

3. The members of the county committees of political parties shall be elected annually by election districts at the primary for the general election in the manner provided in this act for the selection of party candidates to be voted for at the general election by the voters of a municipality. The county committee shall consist of one male and one female member from each unit of representation in the county, the male receiving the highest number of votes among the male candidates and the female receiving the highest number of votes among the female candidates shall be declared elected. The county committee shall determine by its by-laws the units into which the county shall be divided for the purpose of representation in the county committee. The members of the county committee of each of the political parties, hereafter elected shall take office on the first Saturday following their election, on which day the terms of all members of such committees heretofore elected shall terminate. The annual meeting of each county committee shall be held on the second Thursday after the fourth Tuesday in September at an hour and place to be designated in a notice to be given by the chairman thereof, at which annual meeting the members of such committee shall elect some suitable person as chairman to hold office for one year, or until his successor is elected. Such chairman shall preside at all meetings of the committee and shall perform all duties required of him by law and the constitution and by-laws of such committee. Said committee shall have power to adopt a constitution and by-laws for their proper government. A member of a county committee of any political party may resign his said office to the committee of which he is a member, and upon an acceptance thereof by the committee a vacancy shall exist. Vacancies in the office of a member of the county committee of any political party, caused by death, resigna-

County party  
committees.

Membership.

When take  
office.

Organization.

Vacancies.

Notification of members to be elected.	tion, failure to elect, or otherwise, shall be filled for the unexpired term by the municipal committee of the municipality wherein the vacancy occurs, if there is such committee, and if not then by the remaining members of the county committee of such political party in the county in which such vacancy shall occur. The chairman of the county committee of the several political parties shall before the first day of September certify to the clerk of each municipality in the county the members of the county committee to be elected from each unit of representation in such municipality, together with the description of such unit.
Art. V, Sec. 4 amended.	4. Section four, Article V, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:
State party committees.	Membership and Organization. 4. At the primary for the general election of the year wherein a Governor is to be elected, (a) one male and one female member of the State committee of each of said political parties shall be elected in each county, the male receiving the highest number of votes among the male candidates and the female receiving the highest number of votes among the female candidates shall be declared elected. The members of the State committee of each of the political parties hereafter elected shall take office on the first Tuesday following their election, on which the terms of all members of such committees heretofore elected shall terminate. The annual meeting of such State committee shall be held on the first Tuesday after the fourth Tuesday in September, at the hour and place to be designated in a notice to be given by the chairman thereof, at which annual meeting the members of said committee in the year wherein a Governor is to be elected shall elect some suitable person as chairman to hold office for three years, or until his successor is elected. Such chairman shall preside at all meetings of the committee and shall perform all duties required of him by law and the constitution and by-laws of such committee. Said committee shall have power to adopt a constitution and by-laws for their proper government. A member of a State committee of any political party may resign his said office to the
When take office.	
Organization.	

committee of which he is a member, and upon an acceptance thereof by the committee a vacancy shall exist. Vacancies in the office of a member of the State committee of any political party, caused by death, resignation or otherwise, shall be filled for the unexpired term by the members of the county committee of such political party in the county in which such vacancy shall occur. Members of the State committee shall serve for three years or until their successors are elected. Said State committee shall choose its chairman and the member or members of the National committee of their political party; *provided*, that within thirty days of the passage of this act, one woman from each county shall be appointed by the State committee to serve as a member of such committee until the year in which the next Governor is to be elected for a full term.

Vacancies.

Term.

Chairman  
and members  
of national  
committee.  
Proviso.

5. This act shall take effect immediately.

Approved February 7, 1921.

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## CHAPTER 5.

An act to repeal an act entitled "An act to prohibit the manufacture, sale or transportation within the State of New Jersey of intoxicating liquors for beverage purposes, defining the term 'intoxicating liquors,' and providing for the punishment of violations hereof," approved March second, one thousand nine hundred and twenty.

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

1. From and after the passage of this act the following entitled act be and the same hereby is repealed: "An act to prohibit the manufacture, sale or transportation within the State of New Jersey of intoxicating liquors for beverage purposes, defining the term 'intoxicating liquors,' and providing for the punishment of

Act repealed.

violations hereof," approved March second, one thousand nine hundred and twenty.

2. This act shall take effect immediately.

Approved February 7, 1921.

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CHAPTER 6.

A Supplement to an act entitled "An act to authorize certain towns in the counties of Somerset, Morris, Essex and Union to issue bonds and take stock in the Passaic Valley and Peapack Railroad Company," approved April sixth, one thousand eight hundred and sixty-eight.

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

May borrow  
to satisfy  
judgments.

1. Whenever bonds have been issued by any township pursuant to the provisions of the act to which this act is a supplement and judgment has been obtained in any of the courts of this State or of the United States for the principal and interest due thereon, by any person or persons against the township so issuing such bonds, and it is determined by the township committee of such township to satisfy such judgment or judgments, or to make settlement of any suit or suits brought on said bonds, then it shall be lawful for the township committee of such township to borrow such sum or sums as may be required to satisfy such judgment or judgments, or to make settlement of such suit or suits, by obtaining and making temporary loans for a period not exceeding ten years, with any renewal or renewals thereof, on the note or notes of such township, payable with interest at a rate not exceeding six per centum per annum, at such time or times as in the judgment of such township committee shall seem advisable. The money required to make payment of the note or notes so issued

Temporary  
loans.

Rate.

shall be raised by taxation from time to time in the same manner as moneys are raised each year for township purposes, and the township committee of such township shall include in the budget each year such amount as shall be necessary to make payment of such note or notes as they become due and payable; or the township committee may, by resolution adopted by a majority of the whole committee, provide for the issue of bonds of the township under the corporate seal of the township to take up and pay such note or notes, and they are hereby authorized, by resolution, to determine and they shall determine, the amount proposed to be issued, the purpose to which the proceeds thereof are proposed to be applied, the rate of interest proposed to be paid, not exceeding six per centum per annum, and the time of payment thereof, the period for which it is proposed the bonds shall run, not exceeding thirty years from the date of their issue, the method by which it is proposed to provide money for their payment at maturity, and, if it is proposed to make them payable in installments, when each installment will fall due and the amount thereof, and thereupon the said bonds shall be issued and paid accordingly. The said bonds may be either registered or coupon bonds; they may be disposed of at public or private sale under such conditions as the township committee may direct, at not less than par.

2. That whenever any borough or other municipality has been created out of any portion of a township which prior to such creation issued bonds pursuant to the provisions of the act to which this is a supplement, which bonds were outstanding and unpaid at the time of creation of such borough or other municipality, and pursuant to law or by virtue of agreement between such township and such borough or other municipality, such borough or other municipality has become obligated to pay any part or portion of the principal and interest of such bonds, or any part or portion of any judgment or judgments, recovered or recoverable against such township, in a suit or suits on such bonds, and it is determined by the borough council of such borough, or the governing body of such municipality, to satisfy and pay

Raised by  
taxation.

Bond issue.

Use of  
proceeds.

Rate.

Time.

Payment at  
maturity.

Payment by  
municipalities  
created from  
township.

Determination of amount.	such amount as they may determine is due and payable to such township on account of said bonds, or on account of any judgment or judgments recovered against such township in a suit or suits on said bonds; then it shall be lawful for the borough council of such borough and the governing body of any other municipality, to borrow such sum or sums as may be required to pay such township the amount so due to it, on account of such bonds, or on account of any judgment or judgments recovered, in a suit or suits against said township on said bonds, by obtaining and making temporary loans for a period not exceeding ten years, with any renewal or renewals thereof, on the note or notes of such borough or other municipality, payable with interest at a rate not exceeding six per centum per annum, at such time or times as in the judgment of such borough council or other governing municipal body shall seem advisable. The money required to make payment of the notes so issued shall be raised by taxation, from time to time, in the same manner as moneys are raised each year for municipal purposes by any such borough or such other municipality, and the borough council of such borough and the governing body of any other municipality issuing notes as aforesaid shall include in the budget each year such amount as shall be necessary to make payment of such not or notes as they become due and payable, or the borough council of such borough and the governing body of any such municipality may issue bonds under the signature of the chief executive officer and the clerk, with the corporate seal affixed to take up and pay such note or notes; and they may and shall by resolution determine the amount of bonds to be issued, the purpose for which they are to be issued, the time or times, not more than thirty years from the date thereof, when said bonds shall be payable, the rate of interest, not more than six per centum per annum, and the time or times of payment. The bonds may be either coupon or registered bonds, they may be sold at either public or private sale at not less than par, and there shall be raised by taxation, each year, such money as may be necessary to pay the interest on all such bonds and the
Borrow to meet judgments.	
Terms.	
Rate.	
Amount to be raised by taxation.	
May issue bonds.	
Time.	
Rate.	

principal on such of said bonds as they mature during the year.

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

4. This act shall take effect immediately.

Approved February 7, 1921.

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### CHAPTER 7.

An Act to acquire by gift, devise, grant, purchase or condemnation, land and water rights, and to place structures thereon, as a part of the State Highway System, and providing for the cost thereof.

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

1. The State Highway Commission, or any other body by whatsoever name known which may hereafter succeed to the general powers and duties of said State Highway Commission, is hereby invested with full power and authority to acquire for the State, by gift, devise, grant, purchase or condemnation, according to the procedure contained in an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900)," approved March twentieth, one thousand nine hundred, for public use, land and water rights on the bay shore or on the Atlantic coast of this State, at Cape May City or vicinity, as may be determined by the said State Highway Commission, or its successors in power, and to place thereon structures, including the building and erecting of a pier or piers, wharves or docks, for the landing of boats, for the carrying and transportation of automobiles, vehicles and passengers, plying between said pier or piers, docks or wharves, and the town of Lewes, in the State of Delaware or vicinity.

Acquire land  
and rights at  
Cape May.

Erect piers,  
etc.

Transporta-  
tion.

Part of system of roads.

2. The said land or water rights, when acquired, and the said pier or piers, wharves or docks, when erected, shall become a part of the State Highway System of this State, and shall be under the supervision and control of the said Highway Commission, or such other body as may succeed the said State Highway Commission, and shall be maintained by the State out of the funds appropriated, raised or collected for the use of the said State Highway Commission, or such other body as aforesaid, in the repair and maintenance of piers, wharves or docks.

Laws applicable.

3. The building, erecting and constructing of said piers, wharves or docks, as situate within the territorial jurisdiction of New Jersey, shall be subject to the laws of the State of New Jersey, as such laws apply to the constructing of any public highway in this State, when State money is used in the construction of the whole or a part of any such highway.

Joint arrangement.

4. The said State Highway Commission, or such other body as may succeed such State Highway Commission, shall not expend any money for said land or water rights, or for the building or erecting of said pier or piers, wharves or docks until the State of Delaware or citizens thereof shall have arranged for the erecting of a pier or piers, wharves or docks at the town of Lewes, Delaware, or its vicinity.

Purchase and operate boats.

5. The State Highway Commission, or such other body as may succeed said State Highway Commission, may purchase boat or boats and operate the same to transport passengers, vehicles and automobiles from and to the pier or piers, wharves or docks at said Cape May City or vicinity, and the pier or piers, wharves or docks at said Lewes, Delaware, or vicinity.

Tolls.

6. The State Highway Commission, or such other body as may succeed said State Highway Commission, in conjunction with the proper official body of the State of Delaware, or otherwise, shall arrange for a sufficient fee or toll for the carrying of passengers, vehicles and automobiles on said boats and to make such rules and regulations as may be necessary to carry out the objects and purposes of this act, and the revenue as to the share

of this State shall be paid to the Treasurer of this State to be used as a part of the State Highway Fund.

7. The costs and expenses for the carrying out the purposes of this act may be paid out of the funds appropriated, raised or collected for the use of the said State Highway Commission or such other body as may succeed said State Highway Commission. Meeting expenses.

8. This act shall take effect immediately.

Approved February 14, 1921.

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#### CHAPTER 8.

An Act declaring the Gipsy Moth (*Porthetriadispar* L.) to be a public nuisance, providing for the inspection of lands and premises in this State where same may be found, authorizing the abatement and suppression of the Gipsy Moth where found and providing for the protection of vegetation or plant life in danger therefrom.

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

1. The Gipsy Moth (*Porthetriadispar* L.) is hereby declared to be a public nuisance and the protection of vegetation or plant life therefrom is deemed to be a subject matter of public welfare. Statement.

2. At such times as he may deem necessary, the State Entomologist, either personally or by duly authorized assistants may enter and inspect any public or private lands and premises within this State to ascertain whether the plant life or vegetation found thereon is free from the Gipsy Moth and its preliminary stages. Inspection.

3. Whenever, as a result of any such inspection, the State Entomologist or his assistants shall find on any such land and premises evidence of the Gipsy Moth or its preliminary stages he shall have recourse to such recognized measures as the State Entomologist may deem advisable to abate and suppress the Gipsy Moth. Measures to abate nuisance.

and its preliminary stages and to protect therefrom surrounding vegetation or plant life.

Notice of  
proposed  
action.

4. At least ten days before entering any lands and premises and starting the work of abating and suppressing the Gipsy Moth and its preliminary stages and protecting therefrom surrounding vegetation or plant life, the State Entomologist, or his assistants, shall serve personally or by registered mail on the occupant of said lands and premises, a notice setting forth the nature of the action that it is proposed to take and fixing a time therefor.

Right to  
protest.

5. In the event that the occupant of said lands and premises or any other person interested therein, shall dispute the necessity of such proposed abatement, suppression and treatment, he or they may, before the expiration of the time set in said notice, appeal, in writing, to a committee of appeal, setting forth the grounds of dispute. Said committee of appeal shall consist of any three members of the State Board of Agriculture so designated by the Secretary of the State Department of Agriculture for that purpose. The said appeal shall be served on said secretary or on the person in charge of his office at the State House in the city of Trenton. Service of said appeal shall stay any action of said State Entomologist or his assistants. Said committee of appeal shall fix a time and place to hear said appeal, and at least five days before the time thus set for hearing, they shall deposit in the mail, duly registered, and addressed to the occupant of said lands and premises, or other person complaining a notice of the time and place of said hearing. At the time and place set in said notice for hearing or at any time to which said hearing may be duly adjourned, the said committee of appeal shall hear and determine the issues presented by the appeal and shall then make an order, confirming, modifying or reversing the finding and proposed action of the State Entomologist or his assistants and shall forthwith serve or mail duly registered, a copy thereof on the appellant.

Committee  
of appeal.

Appeal acts  
as stay.

Hearing.

Right of  
entry.

6. On the day stated in said notice of the State Entomologist or his assistants or on any subsequent day or days convenient to him or them, or, in the event of an appeal at any time within seven days from the date of any confirmatory order of said committee of appeal, the

said State Entomologist or his assistants may enter said lands and premises, and there use such recognized measures as the State Entomologist may deem advisable to abate and suppress the Gipsy Moth and its preliminary stages and to protect therefrom surrounding vegetation or plant life.

7. Every tenant in possession of lands and premises on whom the aforesaid notice shall be served by the State Entomologist or his assistants shall forthwith give notice thereof to his landlord, or the agent of his landlord, and in default of so doing he shall be liable to any person aggrieved thereby to a penalty of fifty dollars to be recovered by an action of debt in any court of competent jurisdiction in this State.

Tenant to  
notify land-  
lord.

8. Any person who shall interfere with the State Entomologist or his assistants while he or they are engaged in the performance of any of the duties herein imposed shall be deemed a disorderly person, and shall be proceeded against and subject to the penalties provided in an act entitled "An act concerning disorderly persons" (Revision of 1898, P. L. 1898, page 942).

Interference.

9. Nothing herein contained shall be construed to repeal the following: "An act to prevent the introduction into and the 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 certificate of inspection," approved April fourteenth, one thousand nine hundred and three, and acts amendatory thereof and supplementary thereto; "An act to prevent the introduction into and spread of dangerous plant diseases in New Jersey, to authorize the inspection of nurseries and plantations, to provide for certificates of health and a method for compelling the destruction of infested plants," approved March twenty-third, one thousand nine hundred and eleven, and the acts amendatory thereof and supplemental thereto; and "An act to establish a Department of Agriculture, and to prescribe its powers and duties," approved March twenty-ninth, one thousand nine hundred and sixteen.

Act construed.

10. This act shall take effect immediately.

Approved February 16, 1921.

## CHAPTER 9.

An Act to amend an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," which supplement was approved April second, 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. That section one of the supplement to which this act is an amendment be and the same hereby is amended to read as follows:

School board  
appointed by  
mayor.

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, 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 may consist of nine members; *provided*, that before there can be an appointment of a board of education of nine members, the proposition to so increase the membership of the board shall be first submitted by the board of education or by the mayor or other chief executive officer to the qualified voters of the municipality to be sanctioned by such voters at a general or municipal election to be held therein.

Membership.

Proviso;  
referendum.

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 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.

2. This act shall take effect immediately.  
Approved February 16, 1921.

Appointments.

Terms.

Proviso.

Proviso.

Intention of act.

Vacancies.

Certificate of appointment.

Executive officer in townships.

## CHAPTER 10.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one," approved May seventeenth, one thousand nine hundred and twenty.

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

Appropriation  
to indemnify  
owners of  
condemned  
cattle.

1. There is hereby appropriated from the general funds of the State, to the State Department of Agriculture, the sum of thirty thousand dollars, to be expended under the direction of the Bureau of Animal Industry of said department, for the purpose of indemnifying owners of cattle for losses sustained, where cattle are condemned on tuberculin test by said bureau as tubercular cattle, as now provided by law.

2. This act shall take effect immediately.

Approved February 16, 1921.

## CHAPTER II.

An Act to amend an act entitled "An act to increase the efficiency of public health protection in this State, to abolish the State Board of Health, and to create a State Department of Health and to prescribe and define the powers and duties of such department," approved April fourteenth, one thousand nine hundred and fifteen.

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

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

1. The Department of Health is hereby established, and the same shall be governed by a board of ten members, to be known as the "Department of Health of the State of New Jersey." Not more than five of the members of the board shall be members of the same political party, and all of said members shall be residents of this State, and two of the members of said board shall be women. At least three of the members shall be physicians, at least one a veterinarian, and at least two sanitary engineers. The additional offices created by this act, shall be filled by appointees, nominated by the Governor, with the advice and consent of the Senate, and shall hold their said offices for a term of four years. Their successors shall be appointed in like manner. Vacancies shall be filled for the unexpired terms. Name.  
Membership.  
Requirements.  
New officers.

2. This act shall take effect immediately.  
Approved February 16, 1921.

## CHAPTER 12.

An Act to incorporate the Borough of Tavistock in the county of Camden.

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 Centre in the county of Camden hereinafter set forth are hereby constituted and declared to be a body corporate in fact and in law by the name of the "Borough of Tavistock" and as such shall be governed by the general laws of this State relating to boroughs.

Boundaries of  
borough of  
Tavistock.

2. The boundaries of the said borough shall be as follows:

Beginning at a point in the easterly line of the right of way of the West Jersey and Seashore Railroad (formerly the Camden and Atlantic Railroad) and running thence (1) crossing the railroad right of way and along the lands of Ephraim T. Gill north seventy-six degrees forty-five minutes west ( $N 76^{\circ} 45' W$ ) thirty-eight hundred and fifty feet (3850') more or less to a point in the Haddonfield and Magnolia road, also known as Mansion avenue; then (2) along said road south four degrees and five minutes west ( $S 4^{\circ} 5' W$ ) one hundred and ninety-eight feet (198'); thence (3) still along said road south four degrees and forty-five minutes east ( $S 4^{\circ} 45' E$ ) five hundred eleven and five-tenths feet (511.5') to a corner of late Jesse Armstrong's land; thence (4) by the same south thirty-one degrees fifteen minutes east ( $S 31^{\circ} 15' E$ ) eight hundred and ninety-three and sixty-four hundredths feet (893.64'); thence (5) by Chapman's land south forty degrees twelve minutes east ( $S 40^{\circ} 12' E$ ) twenty-five hundred and seventy-five and thirty-two hundredths feet (2527.32') to a large pine tree; thence (6) part by Samuel Nicholson and part by Comley (now Haddonfield Villa townsite) south eighty-six degrees east ( $S 86^{\circ} E$ ) thirty-four hundred and two and ninety-six hundredths feet

(3402.96'); thence (7) by Haddonfield Villa lands southerly forty-one and fifty-eight hundredths feet (41.58') to a stone; thence (8) still by Haddonfield Villa lands one hundred and twenty-six feet to the south branch of Cooper's creek; thence (9) down the creek, the several courses thereof, as the stream now flows to the easterly line of the right of way of the aforesaid West Jersey and Seashore Railroad; thence (10) along the easterly line of the right of way of said railroad northwesterly twenty-one hundred and eighty feet (2180') more or less to beginning.

3. This act is to take effect immediately.

Approved February 16, 1921.

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CHAPTER 13.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one," approved May seventeenth, one thousand nine hundred and twenty.

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

1. The following sum or so much thereof as may be necessary, be and hereby is appropriated out of the State fund for immediate use for the purposes herein specified as an additional appropriation for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one.

X 15. STATE HOSPITAL, MORRIS PLAINS.

Additional land and improvements:

For the purchase of William S. Roe property for additional land, pursuant to chapter ninety-three, laws of one thousand nine hundred and five, . . . . . \$8,000 00

Additional appropriation.

Morris Plains hospital.

**New Jersey State Library**

For repairs to and improvement of buildings thereon, ..... \$4,000 00  
 2. This act shall take effect immediately.  
 Approved February 16, 1921.

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CHAPTER 14.

An Act to amend an act entitled "An act concerning the charitable, hospital, relief, training, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State, which are supported in whole or in part from county, municipal or State funds," approved February twenty-eighth, one thousand nine hundred and eighteen, and April eleventh, one thousand nine hundred and nineteen.

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

Section 636  
amended.

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

Additional  
colonies.

636. In addition to the existing colony, the board of managers may, with the approval of the State board, determine the location of additional colonies upon forest reserve or other lands owned by the State or upon land or lands given, demised or bequeathed to the State, or purchased by the State, and erect and furnish suitable buildings for the purposes of such colonies.

2. This act shall take effect immediately.

Approved February 16, 1921.

## CHAPTER 15.

A Further Supplement to an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

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

## ARTICLE XVIII.

24. The governing body of every municipality shall also have power, by ordinance, to provide for the purchase of a building already erected within the limits of such municipality, together with the site whereon such building is situated, whenever it may deem such building and site suitable for dedication to public use as a permanent memorial commemorative of the services of soldiers and sailors of the United States in any war in which the United States has participated.

Acquire property for memorial for soldiers.

25. Whenever the governing body of any municipality shall determine by ordinance upon the purchase of any such building and the site whereon it is situated, within the limits of such municipality, the same procedure, so far as may be applicable, shall be followed as in case of the construction of any public building as provided for by the supplement to an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen, which supplement was approved April seventh, one thousand nine hundred and nineteen.

Procedure applicable.

26. This act shall take effect immediately.  
Approved February 24, 1921.

## CHAPTER 16.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one", approved May seventeenth, one thousand nine hundred and twenty.

- Preamble. WHEREAS, Under the provisions of the Soldiers' Bonus Act, known as chapter 159 of the Session Laws of 1920, funds were provided for the payment of bonuses under the act for clerical service, printing, postage and other incidentals necessary to carry the act into effect, and it was provided that the State House Commission should issue bonds, to be known as "Soldiers' Bonus Bonds", not to exceed twelve million dollars (\$12,000,000), which will be a direct obligation of the State for the payment of the principal and the interest of the debt created for the purpose of providing such fund; and,
- Preamble. WHEREAS, Provision by said act has been amply made for the payment of the said interest and principal as it falls due within the requirements of the Constitution of this State; and,
- Preamble. WHEREAS, The Soldiers' Bonus Fund created for the payment of the said bonuses is to be kept separate and apart in the State treasury by the State Treasurer at the disposal of the Soldiers' Bonus Commission for the payment of the amounts due to the respective beneficiaries, as provided in that act, together with payments for clerical service, printing, postage and other incidentals, as aforesaid, and will be amply sufficient for all said purposes but will not be available to pay such expenses until after the sale of said bonds and it is necessary that a sum sufficient for the purpose be immediately available, in order that the

bonuses may be expeditiously paid upon the sale of the bonds to be sold for the purpose of creating such fund; now, therefore,

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

1. There is hereby appropriated to the Soldiers' Bonus Commission for the purpose of paying the expenses of said commission incurred in printing the necessary forms, stationery, payment of salaries and wages for officers and employees, postage, telegrams and such other expenses as may be incurred by said commission, the sum of fifty thousand dollars (\$50,000). Appropriation.

2. At such time as the said Soldiers' Bonus Commission shall come into possession of the fund authorized under the provisions of chapter 159, P. L. 1920, said commission shall forthwith reimburse the general treasury of the State to the amount expended by them from the sum appropriated herein. State treasury to be reimbursed.

3. This act shall take effect immediately.

Approved February 24, 1921.

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CHAPTER 17.

A Supplement to an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

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

1. The governing body of every municipality shall have power to make, enforce, amend and repeal ordinances requiring the owner or owners, tenant or tenants of lands abutting or bordering upon the public highways to remove all grass, weeds, brush or other impediments from that part of said public highways abutting or bordering upon their respective lands within three days Removal of grass, weeds, etc., from highways.

after notice to remove the same, and to provide for the imposition of penalties for the violation of any such ordinance; and also for the removal of such grass, weeds, brush or other impediments by or under the direction of some officer of the municipality in cases where the owner or owners, tenant or tenants shall have refused or neglected to remove the same in the manner and within the time provided above.

Property  
charged with  
costs.

2. In all cases where said grass, weeds, brush or other impediments are removed from said highways under any such ordinance, by or under the direction of an officer of the municipality, such officer shall certify the cost thereof to the governing body, which shall examine the certificate, and, if found correct, shall cause the cost as shown thereon to be charged against the lands abutting or bordering such public highway. The amount so charged shall forthwith become a lien upon such lands, and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.

Charge a lien.

3. This act shall take effect immediately.  
Approved February 24, 1921.

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#### CHAPTER 18.

An Act to repeal an act entitled "An act to extend protection to the civil rights of members of the military and naval establishments of the United States engaged in the present war," approved February twenty-sixth, one thousand nine hundred and eighteen.

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

Act repealed.

I. The act entitled "An act to extend protection to the civil rights of members of the military and naval estab-

lishments of the United States engaged in the present war," approved February twenty-sixth, one thousand nine hundred and eighteen, be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved February 24, 1921.

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CHAPTER 19.

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 for five years from the passage of this act to capture, kill, injure, destroy, or have in possession, any wild turkey, under a penalty of fifty dollars for each wild turkey captured, killed, injured, destroyed or had in possession, to be recovered 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 the supplements thereto.

Closed season for wild turkey.

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.

Repealer.

Approved February 24, 1921.

## CHAPTER 20.

A Further Supplement to an act entitled, "An act for the punishment of crime (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:*

Unlawful  
wearing  
insignia of  
American  
Legion.

1. Any person who shall wilfully wear the badge, emblem or insignia of the American Legion, or who shall use or wear the same to obtain aid or assistance thereby within this State, unless he shall be entitled to use, carry or wear the same under the rules, regulations, by-laws or charter of a post of the American Legion, duly and regularly organized and chartered, shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved February 24, 1921.

## CHAPTER 21.

An Act to further amend an act entitled "An act respecting the burial of the bodies of honorably discharged soldiers, sailors and marines, the marking of their graves with suitable headstones and the care and preservation of their graves," approved March twentieth, one thousand nine hundred and two.

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

Section 2  
amended.

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

Burial and  
headstones of  
soldiers.

2. Any interment provided for by the provisions of this act shall not be made in any cemetery or plot used

exclusively for the burial of pauper dead; the graves of any such deceased veterans shall be marked by a headstone containing the name of the deceased and, if possible, the organization to which he belonged, or in which he served; such headstone shall cost not more than thirty-five dollars, and shall be of such design and material as shall be approved by the Governor, Adjutant-General and Quartermaster-General of the State.

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

4. This act shall take effect immediately.

Approved February 24, 1921.

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#### CHAPTER 22.

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

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

1. Section one hundred and seventeen of the act to which this act is an amendment be and the same is hereby amended to read as follows: Section 117 amended.

117. Any person who shall convey or take away any woman child, unmarried, whether legitimate or illegitimate, under the age of eighteen years, out or from the possession, custody or governance, and against the will of the father, mother or guardian of such woman child, though with her own consent, with an intent to contract matrimony with her, or with an intent to carnally abuse her, or to use her for immoral purposes, or to cause or procure her to be carnally abused by another, or to be used for immoral purposes by another, his aiders and abettors, shall be guilty of a misdemeanor; and if he contract matrimony with her, without the consent of her Seduction.  
A misdemeanor.

Marriage  
void.

father, mother or guardian, he shall be guilty of a high misdemeanor; and every such marriage shall be void; and any person who shall permit, suffer or procure any woman child under the age of eighteen years, whether single or married, with or without her consent, to be carnally abused by another or to be used for immoral purposes by another, in any house, room or place, public or private, kept by or under the control or management of such person, shall be guilty of a high misdemeanor.

2. This act shall take effect immediately.

Passed March 1, 1921.

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#### CHAPTER 23.

An Act to repeal an act entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissions or improvement commissions in this State,' approved April twenty-fifth, one thousand nine hundred and eleven, the title to which was amended to read as above set forth by an act approved April second, one thousand nine hundred and twelve," which supplement was approved March thirtieth, one thousand nine hundred and twenty.

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 entitled 'An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissions or improvement commissions in this State,' approved April twenty-fifth, one thousand nine hundred and eleven, the title to which was amended to read as

above set forth by an act approved April second, one thousand nine hundred and twelve," which supplement was approved March thirtieth, one thousand nine hundred and twenty, be and the same is hereby repealed.

2. This act shall take effect immediately.

Passed March 1, 1921.

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CHAPTER 24.

An Act providing for the appointment and compensation of secretaries to Circuit Court judges in counties of the first class in this State.

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

1. Any Circuit Court judge assigned to and holding the Circuit Court in any county of the first class, may, whenever he deems it necessary for the proper and expeditious performance of the work of said court, appoint a secretary, to serve during the pleasure of said judge, and fix the compensation to be paid said secretary at a sum not exceeding two thousand (2,000) dollars per annum.

Secretary to  
Circuit Court  
judge.

2. Upon making such appointment the said Circuit Court judge shall certify to the board of chosen freeholders of the county, the name of the person so appointed and the compensation fixed and thereupon the said board of chosen freeholders shall cause such compensation to be paid to such secretary in equal semi-monthly payments.

Compensation.

3. This act shall take effect immediately.

Approved March 3, 1921.

## CHAPTER 25.

An Act granting and releasing to Otilia Carroll, widow of Charles Carroll, deceased, certain land and premises in the city of Paterson and county of Passaic, which have escheated to the State of New Jersey.

- Preamble. WHEREAS, Charles Carroll, late of the city of Paterson, county of Passaic and State of New Jersey, departed this life on the twenty-seventh day of April, one thousand nine hundred and twelve, seized of the following described tract or parcel of land, hereinafter particularly described, situate, lying and being in the city of Paterson, in the county of Passaic and State of New Jersey:
- Description. Beginning at a point which is five hundred feet southwesterly from Getty avenue and one hundred feet northwesterly from Goshen street, and running thence (1) northwesterly, parallel with Getty avenue, twenty-five feet; thence (2) southwesterly, parallel with Goshen street, one hundred feet to Main street; thence (3) southeasterly, along Main street, twenty-five feet, and thence (4) northeasterly, parallel with the second course, one hundred feet to the place of beginning; and
- Preamble. WHEREAS, The aforesaid Charles Carroll did on the twenty-seventh day of October, one thousand nine hundred and seven, marry Otilia Opiz; and
- Preamble. WHEREAS, The said Charles Carroll left no person or persons capable of inheriting the said land and premises or hereditaments, except his aforesaid wife, Otilia Carroll; and
- Preamble. WHEREAS, The request and proper notice of intention to apply for the passage of this act has been given and duly published; now, therefore,

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

1. All the estate, right, title and interest of the State of New Jersey in, to and upon the above described lot or tract of land and premises of which the said Charles Carroll died seized, with the appurtenances thereunto belonging, and in anywise appertaining, be and the same is hereby granted and released unto the said Otilia Carroll. Vestment of escheated land.

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

Approved March 3, 1921.

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#### CHAPTER 26.

An Act to supplement an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one," approved May seventeenth, one thousand nine hundred and twenty.

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

1. The following sum or so much hereof as may be necessary be and hereby is appropriated out of the State fund for immediate use for the purposes herein specified as an additional appropriation for the fiscal year ended June thirtieth, one thousand nine hundred and twenty-one. Supplementary appropriation.

#### X 2. COLONIES FOR FEEBLE-MINDED MALES.

Additional lands and improvements:

For the improvement of lands, buildings and appurtenances given to the Board of Managers of the Colonies for Feeble-Minded Males, pursuant to the provisions of chapter one hun-

Improvements of colonies for feeble-minded males.

dred and forty-seven, laws of one thousand nine hundred and eighteen, as amended, ..... \$50,000  
 For paying all the costs of operation, repairs and maintenance thereof and the cost of all the work of conducting the said lands, buildings and appurtenances as a colony, ..... \$25,000

How expended.

2. The moneys hereby appropriated shall be expended by the Board of Managers of the Colonies for Feeble-Minded Males, and shall not be subject to the provisions of an act entitled "An act to establish in and for the State of New Jersey a Department of Architecture, to provide for its maintenance, to define the powers and duties of the State Architect," approved March twenty-sixth, one thousand nine hundred and seventeen.

3. This act shall take effect immediately.  
 Approved March 3, 1921.

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CHAPTER 27.

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

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

Section 1 amended.

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

1. Every resident of this State, and every nonresident 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; and the Commissioner of Motor Vehicles shall issue licenses for the following year on and after December first of each year, such licenses so issued not to be used until the thirty-first day of December of the year preceding the year for which such license is issued; *provided, however*, that whenever application for registration and license shall be made under the provisions of this act and the agent to whom application is made, as aforesaid, has not in his possession the registration plates or tags, such agent shall issue to the applicant a certificate certifying that application has been made for registration and license, as aforesaid, and because of inability to supply registration tags or plates a certificate provided for in this act has been issued. Such certificate shall be valid for a period of fifteen days from date of issue and upon application made be renewed for a like period. Such certificate issued as aforesaid, shall entitle the person to whom the same is issued to operate a motor vehicle within this State for the time specified in such certificate or a renewal thereof.

Motor vehicles registered.

Expiration of certificate.

Proviso; in case agent has no markers.

Validity of temporary certificate.

2. This act shall take effect immediately.

Approved March 3, 1921.

## CHAPTER 28.

An Act to amend an act entitled "A further supplement to an act entitled 'An act concerning juries (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,' which said further supplement was approved April sixteenth, one thousand nine hundred and six."

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

Section 1  
amended.

1. Section one of an act entitled, "A further supplement to an act entitled 'An act concerning juries, (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,' which said further supplement was approved April sixteenth, one thousand nine hundred and six," be and the same is hereby amended so that the same shall read as follows:

Qualifications  
for jurors.

1. Every person summoned as a grand juror in any county in this State, and every petit juror returned for the trial of any action or suit of a civil or criminal nature, shall be a citizen of this State, and reside within the county from which he or she shall be taken, and above the age of twenty-one years and under the age of sixty-five years, and shall not, at the time of his or her selection be an official having, directly or indirectly, any official interest in or connection with the administration of justice. And if any person who is not so qualified shall be summoned as a grand juror or as a juror on the trial of any such action in any of the courts of this State, or if any person shall be summoned as a petit juror at any stated term of any court of this State, who has served as such at any of the three stated terms next preceding the day to which he or she may be summoned, it shall be good cause of challenge to any juror, who shall be discharged upon such challenge being verified according to law or on his or her own oath or affirmation in support thereof; *provided*, that no excep-

Cause for  
challenge.

Proviso.

tion to any such juror on account of his or her citizenship, age or any other legal disability shall be allowed, if he or she has been sworn or affirmed.

2. This act shall take effect immediately.

Approved March 10, 1921.

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CHAPTER 29.

An Act to permit recognized organizations, composed of honorably discharged soldiers, sailors or marines of the military, naval or air service of the United States, to use State armories for the holding of military and other affairs.

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

1. It shall be lawful for the State Military Board, acting as the Armory Board, or such officer or member thereof to whom the matter may be delegated by such board, to permit any recognized organization or organizations, composed of honorably discharged soldiers, sailors or marines of the military, naval or air service of the United States, to use any armory in this State, or any part thereof, for any military, social, boxing, theatrical, musical or other affair, for such time as such State Military Board, acting as the Armory Board, or such officer or member thereof to whom the matter may be delegated by such board, may fix or designate, upon the following terms and conditions:

If no admission fee is charged for the affair to be conducted by such recognized organization or organizations, or if an admission fee is charged but the proceeds thereof are to be used for any building or sick fund, then, in that event, such organization or organizations shall only be required to pay to the said Armory Board, or such person or persons as such Armory Board may designate, a sum covering the cost, which

Use of armories for entertainments.

Rental.

is only to include the furnishing of heat and light and janitor's services in preparing for and cleaning up said armory after such affair. The amount to be paid by such organizations shall be fixed by said Armory Board to comply herewith.

If use  
denied.

2. In the event of the State Military Board, acting as the Armory Board, or such officer or member thereof to whom the matter may be delegated by such board, refusing to grant the use of any armory or any part thereof, to such recognized organization or organizations hereinbefore set out, such organization or organizations may appeal to the Governor of the State, and the Governor is hereby empowered to reverse the decision of such board or such officer or member thereof to whom the matter may be delegated by such board, and is hereby authorized to issue a permit to such recognized organization or organizations to use such armory, or any part thereof, upon such terms as he may fix in accordance with the provisions of this act.

Appeal.

3. This act shall take effect immediately.  
Approved March 3, 1921.

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#### CHAPTER 30.

A Supplement to an act entitled "An act to fund floating indebtedness and authorizing and directing the funding of floating and other indebtedness in any municipality and county in this State," approved April fifth, one thousand nine hundred and twenty.

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

Time for  
issuing float-  
ing indebted-  
ness bonds  
extended.

1. The time for the issuing of floating indebtedness bonds or floating indebtedness notes for the purpose of refunding floating indebtedness as provided in section six of the act to which this is a supplement, be and

hereby is extended to March first, one thousand nine hundred and twenty-one, and not thereafter, and for that purpose all proceedings necessary for the issuing of said bonds or notes shall be valid and effectual, and said bonds or notes shall be valid and binding obligations provided the bonds or notes are issued before the first day of March, one thousand nine hundred and twenty-one.

2. Any floating indebtedness bonds or floating indebtedness notes purporting to be issued in pursuance of said act heretofore or hereafter issued within the time stated in section one hereof shall be valid and binding obligations of the municipality issuing them, notwithstanding that the purposes for which they are issued are not the purposes set forth in the act to which this act is a supplement, provided only that the purposes for which such bonds or notes have been or shall be issued is the payment of debts of the municipality outstanding at the time of issuance other than funded debts.

Validating  
bonds.

3. Any floating indebtedness bonds or floating indebtedness notes purporting to be issued in pursuance of the act to which this is a supplement heretofore or hereafter issued shall be valid and binding obligations of the municipality issuing them, notwithstanding that said bonds or notes have been or shall be issued to the holder of the debts of the municipality for which they are issued in payment thereof.

Certain  
securities  
validated.

4. Any tax revenue notes or bonds of one thousand nine hundred and nineteen or tax revenue notes or bonds of one thousand nine hundred and eighteen, or tax revenue notes or bonds of one thousand nine hundred and seventeen, which have been issued with the intention of distributing and converting other evidences of indebtedness as provided in section two of the act to which this act is a supplement shall be valid and binding obligations of the municipality issuing them, and all proceedings for their issuance are hereby approved ratified and confirmed; provided only that the amount of such notes or bonds of each of such years were not in excess of the amount of the face value of the tax revenues of each of such years respectively,

Validating  
certain notes  
and bonds.

Proviso.

which were in arrears, together with the amount of receipts from such tax revenues in hand.

5. This act shall take effect immediately.

Approved March 3, 1921.

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CHAPTER 31.

An Act to amend an act entitled "An act to establish a Department of Agriculture, and to prescribe its powers and duties," approved March twenty-ninth, one thousand nine hundred and sixteen.

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

Section 9  
amended.

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

Secretary's  
appointment.

9. The Secretary for Agriculture shall be appointed by the board. His office shall be deemed to be within the classified service of the State, subject to all the provisions of the Civil Service act applicable thereto. He shall be the executive and administrative agent of the State board, and shall, under their supervision, direct and cause to be performed the functions and duties of the Department of Agriculture. He shall appoint the necessary clerks and stenographers and other employees of the department, whose appointment or employment has not been vested in the board, and assign to them their proper duties and compel the efficient performance thereof. He shall act as the secretary of the board, and his signature to any executive or administrative order shall be a sufficient authority for the execution thereof.

Duties.

Assistants.

Section 10  
amended.

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

10. For the economic and efficient execution and performance of its powers and duties, the Board of Agriculture may create a Bureau of Animal Industry, a Bureau of Lands, Crops and Markets, a Bureau of Statistics and Inspection, and such other bureaus as it may from time to time deem necessary and proper, assign to each of the said bureaus its proper functions and secure their performance. Each of said bureaus shall consist of such officers and employees as the board may designate. The chief of each such bureau shall be the executive and administrative head thereof, subject to the supervision and control of the Secretary for Agriculture, and the signature of each said chief to any executive or administrative order within the scope of his duties shall be a sufficient authority therefor; *provided*, that the board may, by rule or regulation, prescribe the limits within which any such bureau chief may act without the sanction and approval of the Secretary for Agriculture, or the board itself.

Bureaus  
created.Officers and  
employees.

Chief.

Proviso.

Approved March 3, 1921.

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CHAPTER 32.

An Act to amend an act entitled "A supplement to an act entitled 'An act providing for the establishment of schools for industrial education, approved March twenty-fourth, one thousand eight hundred and eighty-one,' approved April twelfth, 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 referred to in the title of this act is hereby amended to read as follows:
  1. Whenever in any city of this State the board of trustees of schools for industrial education shall acquire by gift, grant, devise or otherwise, the sum of one

Section 1  
amended.State appro-  
priation  
toward local  
industrial  
schools.

Amount. hundred thousand dollars, to be expended for the purchase of land and erection and equipment of a building or buildings to be used for the purposes for which said board is constituted, and whenever any such board of trustees of schools for industrial education in said city shall certify, or shall have certified, to the Governor that a sum of money not less than three thousand dollars has been contributed by voluntary subscription of citizens, or otherwise, as hereinafter authorized, for the establishment in said city of a school or schools for industrial education, it shall be the duty of the said Governor to cause to be drawn by warrant of the Comptroller, approved by himself, out of any moneys in the State treasury not otherwise appropriated, an amount equal to that contributed by the said city as aforesaid for the said object, and when any such school or schools shall have been established in any city as aforesaid, there shall be annually contributed by the State, in manner aforesaid, for the maintenance and support thereof, a sum of money equal to that contributed each year in said city for such purpose; *provided, however,* that the moneys contributed by the State as aforesaid shall not exceed in any one year the sum of twenty thousand dollars.

Proviso; contribution limited.

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

Approved March 3, 1921.

## CHAPTER 33.

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 six of the act to which this act is amendatory be and the same 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 or brant or other game birds to place any boat, sink-box, seaweed, or other vessel or construction in which such person may lie in wait to kill said geese, duck, brant or other game birds, at a distance of more than one hundred feet from ice, marsh or meadow, bar or bank, not covered with water; and it shall be unlawful for any person or persons, with intent to capture or kill geese, duck, brant, or other game birds to hunt after or pursue the same in any manner except between one-half hour before sunrise and sunset, under the penalty of twenty dollars for each offense.

Hunting  
web-footed  
wild fowl.

Penalty.

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

Section 7  
amended.

7. It shall be unlawful for any person to pursue any goose, duck, brant, or any kinds of game birds, whatsoever, or to shoot, or to shoot at, or kill, or wound the same from any boat or vessel propelled by any means other than by oars or paddles, or from any boat, vessel or other structure anchored or staked upon the waters of any of the bays, sounds, coves,

Pursuing  
web-footed  
wild fowl.

- ponds, rivers, creeks or streams of the State at a greater distance than one hundred feet from ice, marsh or meadow, bar or bank, or naturally heaped seaweed not covered with water, under a penalty of twenty dollars for each offense. It shall also be unlawful for any person while in an airplane, hydroplane or other device propelled in any manner through the air to pursue, shoot, shoot at, kill or injure any of the above-mentioned game birds, under a penalty of one hundred dollars for each offense.
- Penalty.  
Using air-  
plane un-  
lawful.
- Section 19  
amended.
3. Section nineteen of the act to which this act is amendatory be and the same is hereby amended so as to read as follows:
- Taking excess  
trout, bass, etc.
19. It shall be unlawful to take, catch or kill in any one day more than twenty-five trout, twenty rock bass, twenty in the aggregate of crappie and calico bass, ten salmon or ten in the aggregate of black bass and Oswego bass, under a penalty of twenty dollars for each trout, rock bass, crappie, calico bass, salmon, or black bass and Oswego bass, so taken, caught or killed in excess of the number permitted by this section.
- Penalty.
- Section 27  
amended.
4. Section twenty-seven of the act to which this act is amendatory, be and is hereby amended so as to read as follows:
- Taking bass.
27. It shall be unlawful to take, catch, kill or have in possession any black bass, Oswego bass, white bass, rock bass, calico bass, or crappie excepting only from the fifteenth day of June to the thirtieth day of November, both dates inclusive, of each year, under a penalty of twenty dollars for each fish so caught, taken, killed or had in possession.
- Penalty.
- Section 28  
amended.
5. Section twenty-eight of the act to which this act is amendatory be and the same is hereby amended so as to read as follows:
- Taking  
pickerel.
28. It shall be unlawful to take, kill, catch or have in possession any pike-perch, pike or pickerel excepting only from the twentieth day of May to the last day of November, both dates inclusive, and from the first day of January to the twentieth day of January, both dates inclusive, of each year, under a penalty of twenty dollars for each fish so caught, killed, taken or had

in possession. And it shall be unlawful for any person fishing through the ice to use more than ten lines at any one time, or to take, kill, catch or have in possession in any one day from the first day of January to the twentieth day of January, both days inclusive, more than ten in the aggregate of perch and pike-perch, ten in the aggregate of pike and pickerel. Any person who shall use more than ten lines while fishing through the ice, or take more than ten in the aggregate of perch and pike-perch, ten in the aggregate of pike and pickerel in any one day or take any fish except perch, pike-perch, pike or pickerel or sell or expose for sale any perch, pike-perch, pike or pickerel so caught through the ice shall be liable to a penalty of fifty dollars. All such penalties recovered shall be remitted within ten days after the payment thereof by the court or magistrate before whom the same was recovered to the Board of Fish and Game Commissioners, who shall, upon presentation of a proper bill with proper certifications and verified by the judge of the court or by the magistrate, pay to the person swearing to the complaint in the proceeding in which said penalty was recovered, one-half of the penalty imposed, unless the person swearing to such complaint is a salaried fish and game warden.

Fishing  
through ice.

Recovery of  
penalties.

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

Section 34  
amended.

34. It shall be unlawful to shut off or draw off the waters of any pond, stream or lake in this State or to place a screen in any pond, lake or stream without first obtaining permission from the Board of Fish and Game Commissioners, under a penalty of one hundred dollars for each offense.

Drawing off  
water.

Penalty.

7. This act shall take effect immediately.

Approved March 3, 1921.

## CHAPTER 34.

An Act for extending the time for completing certain  
railroads.

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

Time for  
completing  
certain rail-  
roads ex-  
tended.

Proviso.

Proviso.

I. Whenever the time limited for the completion of any railroad authorized to be constructed within the State under any special or general act has expired, or shall expire before the thirty-first day of December, one thousand nine hundred and twenty-one, such time shall be and the same is hereby extended for the further period of two years 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 route, or in acquisition of right of way, or in construction since January first, one thousand eight hundred and eighty-six; *provided further,* that this act shall not apply to any corporation unless such corporation shall first, and as the condition precedent to the exercise of any power granted by this act, file in the office of the Secretary of State an agreement, to be approved by the Governor and Attorney-General, 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 of this State now in existence or that may be hereafter passed taxing such corporations as are now authorized 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. *Provided, however,* that any railroad company that has heretofore filed an agreement such as above described, under the provisions of any previous act of the Legislature for extending the time for completing certain railroads, shall have the time for the completion of its railroad extended as hereinabove provided without filing another such agreement under this act. *Provided, further,* that any agreement that has heretofore been filed by any corporation under any previous act extending the time for completing certain railroads, shall be as binding as if filed under the provisions of this act.

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

Approved March 3, 1921.

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#### CHAPTER 35.

An Act to amend an act to amend an act entitled "A supplement to an act entitled 'An act for the settlement and relief of the poor (Revision of 1911),' approved April twenty-first, nineteen hundred and eleven," approved March twenty-ninth, one thousand nine hundred and seventeen, approved April eighth, one thousand nine hundred and nineteen.

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

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

1. The board of chosen freeholders of any county in this State that has assumed the maintenance of the poor and is now maintaining children in a duly incorporated charitable institution in said county, are hereby empowered to make provision for children under the

Proviso.

Proviso.

Section 1  
amended.

Care of children by  
freeholders.

age of eighteen years, whose support they have assumed, by committing them to the care and control of such duly incorporated charitable institutions, and for such time as they may see fit; said commitment shall be in writing and signed by the trustees of the county poorhouse, and shall be subject to the approval of the trustees or managers of such charitable institution, who shall signify their approval by endorsing the same upon the back of the duplicate copy of said commitment as accepted subject to the provisions of this act, and sign their names thereto, and the trustees of said county poorhouse shall keep said duplicate copy of commitment on file, and also, in a suitable book for such purpose, shall keep a record of such commitment, showing the date thereof, the name, age, color, nativity, sex and mental and physical condition of each child thus committed and the length of time for which committed, and shall report the same monthly to the board of chosen freeholders of said county, who are hereby authorized and required to pay out of the funds belonging to said county, to the trustees or managers of such a charitable institution such sum as may be agreed upon by said board of chosen freeholders and such trustees or managers, but such sum shall not exceed four dollars per week, for each and every child thus committed during their continuance in said institution, for the board, maintenance and education of such child, until it arrives at the age of eighteen years; and the county treasurer of such county is hereby authorized to pay the same, upon an order drawn upon him, and signed by the director and clerk of said board, for that purpose.

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

Commitment  
to charitable  
institutions.

Acceptance.

Record of  
commitment.

Monthly  
report.

Payments.

Repealer.

Approved March 3, 1921.

## CHAPTER 36.

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

Section 1  
amended.

1 There shall be a commission vested with the powers and duties hereinafter specified, which shall consist of three persons, citizens of this State, not under thirty years of age, who shall be appointed by the Governor, by and with the advice and consent of the Senate, and who shall constitute and be designated and known as the Board of Public Utility Commissioners. Not more than two of said commissioners shall be members of the same political party.

Appointment  
of board.

Name.

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

Section 2  
amended.

2. Immediately upon the passage of this act, the terms of all the members of the Board of Public Utility Commissioners heretofore appointed under the provisions of the act to which this act is an amendment, or under the provisions of any amendment or supplement to said act, shall cease and determine, and a new commission shall be appointed, as authorized herein. One of the said commissioners herein authorized to be appointed shall be appointed for a term of two years; one for a term of four years, and one for a term of six years. Thereafter, and at the expiration of each term, a successor shall be appointed for a term

Expiration  
of board.

Terms.

- Vacancies. of six years. All vacancies, except through the expiration of term, shall be filled for the unexpired term only. No person shall be qualified or authorized to act as a member of said board until his appointment shall have been confirmed by the Senate.
- Section 3 amended. 3. Section three of the act to which this act is an amendment be and the same is hereby amended to read as follows:
- Salary. 3. The members of said board shall each receive an annual compensation of twelve thousand dollars, to be paid in equal monthly payments by the Treasurer of the State.
- Repealer. 4. All acts or parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.
- Passed March 8, 1921.

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CHAPTER 37.

An Act to provide for a commission for the purpose of placing markers at the graves of Revolutionary soldiers, and making an appropriation therefor.

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

- Commission to mark graves. 1. The Governor is hereby authorized to appoint a commission of three citizens to serve without compensation, for the purpose of placing markers at the graves of the six Revolutionary soldiers buried in the cemetery surrounding the St. Thomas Methodist Episcopal Church, situate in the township of Alexandria, in the county of Hunterdon.
- Appropriation. 2. The sum of six hundred dollars is appropriated for this purpose when included in the annual appropriation bill.
3. This act shall take effect immediately.
- Approved March 10, 1921.

## CHAPTER 38.

An Act to amend an act entitled "An act to fix the compensation of boards of chosen freeholders except where the members are now paid an annual salary," approved March twenty-sixth, one thousand nine hundred and nineteen.

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

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

1. Each of the members of the respective boards of chosen freeholders shall have and receive out of the moneys raised by such boards five dollars, and the director of each of said boards the total sum of six dollars for each day he shall be actually and necessarily employed in discharging the duties enjoined on him as such officer, and the further sum of three cents per mile for each and every mile he shall necessarily travel in going to and returning from, by the nearest route, the sessions of the board upon his filing with the county collector an itemized bill of such service, verified by affidavit, and the same being ordered paid by the board of chosen freeholders according to law; and no other allowance or emolument, directly or indirectly, shall be received by such officer; *provided, however,* that this act shall not apply to any county in this State where the members of board of freeholders are now paid an annual salary. Per diem for chosen freeholders.

2. This act shall take effect immediately.

Approved March 10, 1921.

Mileage.

Proviso.

## CHAPTER 39.

A Further Supplement to an act entitled "An act to authorize the board of chosen freeholders of any of the several counties of this State to lay out, open, construct, improve and maintain a public road therein," approved April seventh, one thousand eight hundred and eighty-eight.

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

Changing  
right of way.

1. Whenever the right of way for any public road provided for in the act to which this is a supplement, or for any of the roads provided for by any of the acts supplemental thereto, shall have been acquired under a contract with the owner or owners of the property which road or roads cross, and it becomes necessary or desirable to alter or change the location of the right of way of such a road or roads or the grade thereof, the board having control over such road or roads may change or alter such right of way or the grade thereof by contract to be entered into between said board and the owner or owners of the lands which said right of way crosses; *provided*, that no such contract shall be entered into which shall require the payment by said board of any money to said landowner or landowners.

Proviso.

2. This act shall take effect immediately.

Approved March 10, 1921.

## CHAPTER 40.

An Act to provide for the erection and maintenance of a State exhibition building for the display and exhibit of the educational features, and the institutional, agricultural and horticultural products of the State, and making an appropriation therefor.

WHEREAS, There exists no adequate facilities for the proper display of the educational features and of the institutional, agricultural and horticultural products of this State; Preamble.

AND WHEREAS, The educational value of such an exhibit has long been recognized as being to the advantage and benefit of the State; Preamble.

AND WHEREAS, Partial exhibits heretofore attempted have resulted in duplication of effort and enormous cost; now therefore Preamble.

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

1. There is hereby appropriated to the State House Commission the sum of twenty-five thousand dollars, or so much thereof as may be necessary, for the erection and maintenance of a State exhibition building. The commission is authorized to select a site and to acquire the same by gift, grant or in other lawful manner and to erect thereon and maintain the State exhibition building as in this act provided. Such building and land on which such building is situated shall be held in the name of the State of New Jersey by the State House Commission or its successors in office and shall be used for the purposes in this act enumerated. Appropriation for exhibition building.

Site.

Vestment.

2. This act shall take effect immediately.

Approved March 10, 1921.

## CHAPTER 41.

An Act to amend an act entitled "An act constituting courts for the trial of small causes (Revision of 1903)," approved April eighth, one thousand nine hundred and three.

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

Section 33  
amended.

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

Right of  
jury trial.

33. In every action either of the parties, after the defendant has appeared and before the justice has proceeded to inquire into the merits of the cause, may demand a trial by jury, which the justice is hereby required to grant, and thereupon a venire shall be issued to summon a jury of six persons without regard to sex, if the demand or matter in dispute does not exceed the sum of fifty dollars, or a jury of twelve persons without regard to sex, if the demand or matter in dispute exceed that sum, being citizens of this State, above the age of twenty-one years, and under the age of sixty-five years, and in nowise akin to the plaintiff or defendant, nor interested in the suit, to be and appear before the said justice at such time and place as shall be expressed in the venire to make a jury for the trial of the action between the parties mentioned therein; and the constable shall, at the return of the venire, return, annexed thereto, a panel containing the names of the jurors whom he shall have summoned by virtue thereof; and if, on the return of the venire, it shall appear that one or more of the jurors are disqualified to serve, or do not appear, then the constable who served the same, shall by order of the court, immediately summon others who shall serve in their stead; if the jury disagrees other writs of venire may issue in the same cause until a verdict be obtained.

Qualifica-  
tions.

Return by  
constable.

2. This act shall take effect immediately.

Approved March 10, 1921.

## CHAPTER 42.

An Act to amend an act entitled "An act concerning District Courts (Revision of one thousand eight hundred and ninety-eight)," approved June fourteenth, one thousand eight hundred and ninety-eight.

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

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

149. Either party may demand a trial by jury, and if a jury is demanded a venire shall be issued to summon a jury of six persons who shall be summoned without regard to sex, and no more, if the debt, demand or matter in dispute does not exceed the sum of fifty dollars, or a jury of twelve persons who shall be summoned without regard to sex, if the debt, demand or matter in dispute exceed the sum of fifty dollars, being citizens of this State above the age of twenty-one years and under the age of sixty-five years, and in nowise akin to the plaintiff or defendant, nor interested in the suit, to be and appear before the said court at such time and place as shall be expressed in the venire to make a jury for the trial of the action between the parties mentioned therein; and the constable or sergeant-at-arms shall, at the return of the said venire, return, annexed thereto, a panel containing the names of the jurors whom he shall have summoned by virtue thereof; and if on the return of the venire, it shall appear that one or more of the jurors are disqualified to serve, or do not appear, then it shall be lawful for the constable or sergeant-at-arms who served the same, by order of the court, immediately to summon others who shall serve in their stead; unless a demand for trial by jury shall be made, and notice thereof given to the clerk of the court at least two days,

Section 149  
amended.

Right of  
trial by jury.

Qualifica-  
tions.

Return of  
venire.

Waiver of  
jury.

exclusive of Sundays and legal holidays, before the time fixed for the trial, and unless the party demanding the same shall at the time of the making such demand pay the cost of the venire, the demand for trial by jury shall be deemed to be waived; but the judge of any such court may, in his discretion, grant a venire at the expense of the plaintiff, to be taxed in the costs of suit, notwithstanding the failure of a demand as hereinbefore specified.

2. This act shall take effect immediately.

Approved March 10, 1921.

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CHAPTER 43.

An Act to amend an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," which 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 2  
amended.

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

State board,  
how composed.

2. The general supervision and control of public instruction shall be vested in a State Board of Education which shall consist of eight members, not more than four of whom shall be members of the same political party, and not more than one of whom shall be a resident of any one county. Said members shall be male citizens who have resided within the State for not less than five years immediately preceding the date of their appointment. They shall be appointed by the Governor by and with the advice and consent of the Senate for

Appointed by  
Governor.

the following terms, to commence on the first day of July, one thousand nine hundred and eleven: One for one year, one for two years, one for three years, one for four years, one for five years, one for six years, one for seven years, and one for eight years; annually thereafter one member shall be appointed by the Governor for a term of eight years; *provided*, that after January first, one thousand nine hundred and twenty-one, said State Board of Education shall consist of ten members, not less than two of whom shall be women, not more than five of whom shall be members of the same political party, and not more than one of whom shall be residents of any one county. Said members shall be citizens who have resided within the State for not less than five years immediately preceding the date of their appointment. The two new members, in addition to the eight already provided, shall be appointed by the Governor by and with the advice and consent of the Senate for terms of eight years. Vacancies shall be filled for the unexpired term.

A suitable room in the State House at Trenton shall be provided for the use of the board.

Said board shall meet in the State House in Trenton at such times as their rules may prescribe in each and every month, and at such times and places within the State as in its judgment may be necessary. Its meetings, as well as those of every board of education in the State, shall be public and shall commence not later than eight P. M.

In addition to the powers now conferred by law upon the State Board of Education it shall—

I. Prescribe a uniform and simple system of book-keeping for use in all school districts, and compel all school districts to use the same.

II. Appoint, upon application, a supervisor principal over the schools in two or more districts whenever in its opinion it is advisable so to do, and apportion the expense equitably among the districts.

III. Withhold or withdraw its approval of any secondary school whenever in its opinion its academic work, location or enrollment and per capita cost of maintenance shall not warrant its establishment or continuance.

Terms.

Proviso:  
women mem-  
bers.

New members.

Vacancies.

Room.

Meetings.

Powers.

District  
accounts.Supervising  
principal.Approval of  
secondary  
schools.

Fix rates for  
pupils outside  
district.

IV. Fix rates to be paid by a district for the tuition of children sent from it to the schools of other districts, when the districts cannot agree among themselves as to the proper rate, and require any district having the necessary accommodations to receive pupils from other districts at rates agreed upon or which it may fix in the event of disagreement.

Production of  
records and  
witnesses.

V. Compel the production at such time and place within the State as it may designate of any and all books, papers and vouchers in any way relating to schools or to the receipt or disbursement of school moneys; compel the attendance before it or before any of its committees or before the Commissioner of Education or one of his assistants or before the business manager at such time and place as it may designate of any member of a board of education or of any person in the employ of a board of education, and suspend from office any person refusing to attend or to submit such books, papers and vouchers as he may have been directed to produce.

Subpœnas.

VI. Issue subpœnas signed by its president and secretary compelling the attendance of witnesses and the production of books and papers in any part of the State before it or before any of its committees or before the Commissioner of Education or one of his assistants or before the business manager.

2. This act shall take effect immediately.

Approved March 10, 1921.

## CHAPTER 44.

An Act to amend an act entitled "An act to establish a State Highway System and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof," approved March thirteenth, one thousand nine hundred and seventeen.

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

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

Section 16 amended.

16. A certified check equal to at least ten per centum of the bid, *provided*, the same shall in no case exceed twenty thousand dollars (\$20,000); *and provided, further*, that in case the bid be less than five thousand dollars (\$5,000) the check shall be five hundred dollars (\$500) and must accompany the bid and be drawn to the order of the State Treasurer, and shall be held as security that, if awarded the contract, the bidder will deliver the same within ten days from the ratification of the award, properly signed and secured by a satisfactory bond; *provided, further*, that it shall be the duty of the State Highway Commission to make the award of the contract or contracts or to reject the same within the period of one month from the date the bids are received, and that all proposal checks which may be delivered with any bid or bids, excepting the two lowest responsible bids, shall be returned within three days thereafter.

Certified check to accompany bid; amount. Proviso.

Proviso.

In case of the bidder's failure to provide a satisfactory bond as aforesaid, said check shall be forfeited to the State as liquidated damages, and shall be applied and become a part of the State Road Fund. The commission may require in addition to said certified check such additional evidence of the ability of the contractor

Bond furnished.

to perform the work required by the contract, as it may deem necessary and advisable.

Section 17  
amended.

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

Partial pay-  
ments on con-  
tracts.

17. Contracts may provide for partial payments at least once each month or from time to time as the work progresses on work of construction or maintenance, amounting to ninety per centum of the value of the materials in place and of the work done.

Partial pay-  
ments on ma-  
terials.

Contracts may also provide for partial payments at least once in each month or from time to time as the work progresses on all materials placed along or upon the site which are suitable for the use and execution of the contract, but such partial payments shall be eighty per centum of the value of such material; *provided*, the contractor furnishes releases of liens for all material furnished at the time each estimate of work is submitted for payment.

Proviso.

Deferred  
contracts.

Where, however, the contract provides that a portion of the work may be deferred with the approval of the State Highway Commission, the sum withheld from the contractor may not be less than twenty-five (25) per centum of the value of said work.

Guarantee  
bond.

That whenever any contractor has completed his contract for work to be done under this act no per centum of the contract price shall be retained, but the contractor shall enter into a bond in a sum amounting to five per centum of the contract price with any surety company authorized to do business in the State of New Jersey and which has the approval of the Attorney-General, to the State Highway Commission, which bond shall remain in full force and effect for the period of one year, and shall provide that the contractor can be held responsible for poor workmanship done or poor materials furnished under such contract, but he shall not be responsible for acts or causes which are beyond or outside of his control.

Repealer.

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

3. This act shall take effect immediately.

Approved March 15, 1921.

## CHAPTER 45.

An Act to amend an act entitled "An act for the protection of deer," approved March twenty-seventh, one thousand nine hundred and twelve.

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

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

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 sixteenth day of December to the twentieth day of December, both dates inclusive, of each year, or to kill in any one year more than one deer. It shall be unlawful at all times hereafter for any person to hunt for, shoot at, take, kill or wound, or attempt to take, kill or wound, any doe or deer except a deer having horns visible above the hair; *provided*, that the owner or lessee of any land under cultivation, or the authorized agents of such owner or lessee, may kill deer at any time that said deer may be found upon said land under cultivation of any such owner or lessee. The carcass of any deer killed while trespassing as aforesaid shall become the property of the Fish and Game Commission, and may be removed and disposed of in such manner as the said commission shall direct. For the purpose of this act, land under cultivation shall be construed to mean pasture fields seeded with cultivated grass or land on which planted crops are growing: Any person violating any of the provisions of this section shall be liable to a penalty of one hundred dollars for each offense.

1a. Any person who shall kill a deer in this State at any time under any provision of this act who shall fail to report the same within forty-eight hours to the Board of Fish and Game Commissioners, at Trenton, or the

Section 1  
amended.

Season for  
wild deer.

Horns visible.

Proviso.

Disposition of  
carcass.

Land under  
cultivation  
defined.

Penalty.

Failure to re-  
port killing.

Penalty.	fish and game warden of the county in which such deer was killed, shall be liable to a penalty of one hundred dollars.
Section 2 amended.	2. Section two of the act to which this act is amendatory be and is hereby amended to read as follows :
Possession of wild deer.	2. It shall be unlawful to have in possession in this State any wild deer except from the sixteenth day of December to the twentieth day of December, both dates inclusive of each year, under a penalty of one hundred dollars for each deer or part of a 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 or part of a 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; <i>provided</i> , 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. This act shall take effect immediately.
	Approved March 17, 1921.

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CHAPTER 46.

An Act to regulate the discharge of effluents from sewerage systems or works into a potable water supply.

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

Discharge from disposal plant into potable water.	1. No effluent from any sewage disposal system, purification or treatment plant, or any plant for the purification or treatment of industrial wastes, now con-
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structed and in operation, or which may hereafter be constructed and operated, shall be discharged into any of the potable waters of this State, which, in the opinion of the Department of Health of the State of New Jersey, is of such a character as will or may cause or threaten injury to the users of water from such potable water supply, and, after written notice by said Department of Health of the State of New Jersey given to any person, association, company, or corporation, municipal or private, to make such improvements as in the opinion of the Department of Health of the State of New Jersey are required in order that an effluent satisfactory to the said department may be discharged into such potable waters, the plans for which must be submitted to and approved by the said department, then, if such improvements as are called for in said written notice are not made within the time specified in the notice, any person, association, company, or corporation, municipal or private, which shall offend against the provisions of this section shall be liable to a penalty of one hundred dollars; and each week's continuance after the expiration of the time limit specified in said written notice given by the Department of Health of the State of New Jersey shall constitute a separate offense.

Notice to  
improve  
effluents.

Penalty.

2. Any penalty incurred under the provisions of the first section of this act may be recovered, with costs, in a summary proceeding in the name of the Department of Health of the State of New Jersey. Any representative of the Department of Health of the State of New Jersey having knowledge of any of the violations of any of the provisions of the first section of this act whereby any penalty may have been incurred may make, under oath or affirmation, a complaint against the person, association, company, or corporation, municipal or private, incurring such penalty, setting forth the facts of such violation, which complaint shall be filed in the office of the clerk of the District Court, or with any justice of the peace of the county, or any other court having competent jurisdiction in such actions, wherein the plant or plants, system or systems, of such person, association, company, or corporation, municipal or private, as mentioned in section one of this act, may be

Recovery of  
penalties.

Complaint.

Court of  
jurisdiction.

Issue of process.	located; and the District Court, justice of the peace, or other court having competent jurisdiction in such actions, with whom any complaint shall be filed as aforesaid, setting forth facts sufficient to show that the penalty prescribed by the first section of this act has been incurred, is hereby authorized and required to issue process, either in the nature of a summons or warrant, which process, when in the nature of a warrant, shall be returnable forthwith, and when in the nature of a summons, shall be returnable in not less than five nor more than fifteen days; on the return of such process, or at any time to which the trial shall have been adjourned, the said District Court, justice of the peace, or other court having competent jurisdiction in such actions, shall proceed to hear the testimony of witnesses and the proofs in the case, and to determine and give judgment in the matter without the filing of any pleadings, and, if judgment shall be given in favor of the plaintiff, execution shall forthwith issue against the goods and chattels of the defendant for the amount of the penalty, with costs; and all judgments rendered by a District Court or justice of the peace may be docketed in the office of the clerk of the Court of Common Pleas; the officers to serve and execute any process or execution issued as aforesaid shall be the constables of the counties, which service and execution shall be made in the same manner and under the same liabilities as other executions issued out of said courts; all moneys recovered under the provisions of this act by the Department of Health of the State of New Jersey shall be paid into the treasury of the State.
Return of process.	
Hearing.	
Judgments.	
Officers in proceedings.	
Injunction.	3. If any person, association, company, or corporation, municipal or private, shall violate any of the provisions of the first section of this act, it shall be lawful for the said Department of Health of the State of New Jersey, whether or not the penalty above prescribed shall have been sued for or recovered, to file a bill in the Court of Chancery, in the name of the State, on the relation of said Department of Health, for an injunction to prohibit the further violation of the said section, and every such action shall proceed in the Court of Chancery according to the rules and practice relating to bills filed

in the name of the Attorney-General on relation of individuals; and cases of emergency shall have precedence over other litigation pending at the time in the Court of Chancery, and may be heard on final hearing within such time and on such notice as the Chancellor shall direct.

4. Nothing in this act contained shall be construed to operate as a repeal of any act of the Legislature designed to secure the purity of public supplies of potable waters, or to prevent the pollution of streams, whether such streams be potable streams or not, but this act shall be deemed only to be additional legislation.

Construction  
of act.

5. This act shall take effect immediately.  
Approved March 17, 1921.

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#### CHAPTER 47.

An Act requiring the furnishing of information relative to the construction and operation of water purification plants and distribution systems, and sewage treatment plants and sewerage systems to the Director of the Department of Health of the State of New Jersey.

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

1. Every person, association, company, or corporation, municipal or private, that may now, or hereafter, possess, use, own, lease, or control, a water supply system, a plant for the purification or treatment of water, a sewerage system, or plant for the purification or treatment of sewage, or a plant for the purification or treatment of industrial wastes, shall furnish to the Director of the Department of Health of the State of New Jersey, such information relating to the construction and operation of such plants or systems as may be called for from time to time by the said director.

Information  
furnished  
director of  
health.

Penalty  
for refusing  
information.

2. The refusal or failure of any person, association, company, or corporation, municipal or private, to furnish the Director of the Department of Health of the State of New Jersey with any information requested by him under authority contained in section one of this act within the time specified in such request, shall be deemed to be a violation of this act, and such person, association, company, or corporation, municipal or private, shall be subject to a penalty of one hundred dollars to be recovered in an action at law at the suit of the Department of Health of the State of New Jersey; and all moneys which shall be recovered under the provisions of this act shall be paid into the treasury of the State.

3. This act shall take effect immediately.

Approved March 17, 1921.

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#### CHAPTER 48.

An Act to amend an act entitled "An act to amend an act entitled 'An act to promote home life for dependent children,' approved April ninth, one thousand nine hundred and thirteen," approved March thirtieth, one thousand nine hundred and fifteen.

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

Section 5  
amended.

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

Order of  
court.

5. If upon the completion of the examination provided for under section four hereof the court shall find that said petitioner has been a resident of such county for a period of at least five years next preceding the filing of such application, and that unless relief is granted the mother will be unable properly to support and educate her children, and that they may become a

public charge, it shall make an order committing said family to the care of the State Board of Children's Guardians, and directing that there shall be paid to the mother, through the State Board of Children's Guardians out of the county funds for the maintenance and support of the children under sixteen the following amounts, to wit, not exceeding twelve dollars per month for one such child, not exceeding twenty dollars per month for two such children and not exceeding seven dollars per month for each additional child under such age.

Monthly  
payments by  
counties.

Rates.

2. This act shall take effect immediately.

Approved March 17, 1921.

CHAPTER 49.

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:*

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

Section 3  
amended.

3. The said board shall hold meetings for examinations at the capitol building of this State on the third Tuesday of June and October of each year, and at such other times and places as the board may deem expedient; the secretary of said board shall receive an annual salary as now provided by law, and each member of the board including said secretary shall receive the sum of two hundred and fifty dollars (\$250) for each regular examination so held, which sum shall be paid from the receipts of the board before the same are paid to the State Treasurer; *provided, however,* that in case an

Examina-  
tions.

Salaries.

Proviso.

Records.

What register  
to show.

appropriation shall be made for the expenses of said board such sums may be paid from such appropriation; said board shall hold meetings once a month; said board shall keep an official record of all its meetings and an official register of all applicants for a license to practice medicine and surgery in this State, whether such applicants were licensed or rejected; said register shall show the name, age, nativity, last and intended place of residence of each candidate, the time he or she has spent in obtaining a competent academic and medical education as hereinafter provided; and the names and location of all medical schools or examining and licensing boards which have granted said applicant any degree or certificate of attendance upon lectures upon medicine and surgery or State examinations; said register shall also show whether said applicant was licensed or rejected under this act; if licensed, whether said applicant was examined or licensed without examination, and said register shall be prima facie evidence of all matters therein contained.

2. This act shall take effect immediately.

Approved March 17, 1921.

## CHAPTER 50.

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

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

I. Section one of the act to which this is an amendment, as the same was amended by chapter 138 of the Laws of 1920, is hereby amended to read as follows:

Section 1  
amended.

I. Every municipality, corporation and individual is hereby prohibited and forbidden to discharge, directly or indirectly, any sewage or other polluting matter into the waters of the Passaic river at any point between the Great Falls, in the city of Paterson, and the mouth of said river at Newark bay, or into any tributaries of the Passaic river which empty into the Passaic river between said points, after the thirty-first day of December, one thousand nine hundred and twenty-two; and the Passaic Valley Sewerage Commissioners are hereby authorized and empowered to enforce the provisions of this act over and throughout all municipalities which may, or the inhabitants of which may, directly or indirectly, discharge sewage or other polluting matter into

Discharge of  
sewage into  
certain por-  
tions of  
Passaic river  
prohibited.

the waters of the Passaic river between the points above designated, or into the tributaries aforesaid, after the said thirty-first day of December, one thousand nine hundred and twenty-two.

Municipalities  
affected to be  
notified.

The Passaic Valley Sewerage Commissioners are hereby authorized and directed, within thirty days of the approval of this act, to notify each municipality from which sewage or other polluting matter is or may be discharged into the said river between said points, either directly or indirectly, and the inhabitants thereof, that the discharge of sewage and other polluting matter into the waters of the said river must be discontinued on or before the thirty-first day of December, one thousand nine hundred and twenty-two.

How notice  
served.

Such notice shall be in writing, signed by the president and secretary of Passaic Valley Sewerage Commissioners, and shall be served upon the clerk or the equivalent officer of every such municipality, and shall be published in one of the newspapers printed and circulating in the counties of Passaic, Bergen, Hudson and Essex, for two consecutive weeks, once in each week, such public notice to be in the following form:

Wording  
of notice.

To whom it may concern: Public notice is hereby given that the discharge of sewage and other polluting matter into the waters of the Passaic river at any point between the Great Falls, at the city of Paterson, and Newark bay, and into the tributaries of said river emptying therein between said points is prohibited, and must cease and be discontinued after December thirty-first, one thousand nine hundred and twenty-two.

Bringing  
suits:  
jurisdiction  
of court.

The Passaic Valley Sewerage Commissioners are further authorized and empowered to institute in their corporate name suits at law or in equity as may be deemed necessary, or appropriate to enforce the provisions of this section of the act after said thirty-first day of December, in the year one thousand nine hundred and twenty-two: and the Court of Chancery of this State is hereby vested with special jurisdiction to enforce the provisions of this section of this act in a summary manner upon application of the Passaic Valley Sewerage Commissioners.

2. This act shall take effect immediately.

Approved March 17, 1921.

## CHAPTER 51.

An Act appropriating funds for the construction in part of a waterway connecting as a cut-off the Salem river, at or near the river wharves, in the city of Salem in a direct line with the mouth of the said Salem river where it empties into the Delaware river.

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

1. The expenditure of the sum of ten thousand dollars (\$10,000) is hereby authorized, when specifically appropriated for said purpose in the Appropriations Act, to be used in the construction work of a waterway to be built for the purpose of carrying the flow of the Salem river from the city of Salem at or near the river wharves in a westerly direction to the mouth of the Salem river where it flows into the Delaware river, so as to create a navigable passageway of approximately seven-eighths of a mile in a straight line to the Delaware river from the city of Salem in lieu of the circuitous trend now existing in said river to a length of about two and one-half miles; *provided*, the bed of such waterway to be built, between the high water line thereof, shall be conveyed to the State of New Jersey and when so conveyed shall be held as riparian lands and subject to all laws relating thereto; *and provided, further*, that a proper grant be obtained for such riparian lands adjoining the upland as shall be destroyed in constructing said waterway.
 

Appropriation  
for canal for  
Salem river.

Proviso.

Proviso.
2. The said sum so authorized and when appropriated shall be paid by the Treasurer on the warrant of the Comptroller only if and when the city of Salem, in this State, by lawful appropriation therefor, including therein or by private contributions thereto, has provided and paid to the engineering department, properly designated and qualified to undertake such work, and which properly designated engineering department has signi-
 

Payments.

Amount to  
complete  
canal.

fied its readiness to commence such undertaking, the sum of five thousand dollars (\$5,000) and when such engineering department has certified by its departmental head to the Comptroller of the Treasury of this State that the Government of the United States has appropriated or set aside sufficient money in addition to the said five thousand dollars (\$5,000) and the ten thousand dollars (\$10,000), hereby authorized to be expended, a sum sufficient to complete the entire project in such a manner as to establish such waterway for navigable and other purposes and in lieu of the use which has heretofore been made of the trend of the river at such place.

3. This act shall take effect immediately.

Approved March 17, 1921.

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CHAPTER 52.

An Act relating to the use, maintenance and repair of detour roads and providing for the cost thereof.

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

Detour  
roads.

1. Whenever any road shall be closed temporarily by any public authority, it shall be the duty of said public authority which shall have control of such road, or shall so close such road, to provide a detour road for the use of the public.

Route.

2. The detour road so selected shall be the shortest practicable route from and to the road temporarily closed, and said public authority selecting such detour road shall have full and complete jurisdiction over the same, except as hereinafter provided, so long as it shall be used as a detour road.

Control.

Put in proper  
condition.

3. The detour road shall be put in proper condition for the use of, and shall be maintained in proper condition for the use of, the public who will use such detour road during the period of its use as a detour road.

4. Said public authority shall erect and maintain proper signs to guide the public to, from and along such detour road from and to the points of departure from and re-entry upon the closed road.

Guide  
marks.

5. At the termination of the period of use of such detour road as such, said public authority shall place such detour road in as good condition as when jurisdiction was assumed by said public authority.

Returned in  
good condi-  
tion.

6. The cost of repairing and maintaining detour roads as required by section one of this act shall be borne by the public authority so required to maintain and repair the same, and shall be a part of the cost of the construction, repair or reconstruction making necessary the use of any road or highway as a detour.

Maintained as  
public charge.

7. Whenever in the opinion of the governing body of any municipality having original jurisdiction over any road or highway selected as a detour road any public authority shall fail or neglect to comply with the provisions of section one of this act with respect to any road or highway within its original jurisdiction it shall report such violation to the State Highway Engineer, who shall investigate such alleged violation and, if he finds a violation, issue an order to the agency, body or unit hereby charged with the maintenance and repair of such detour road directing it to make repairs to or to maintain such detour in the manner and within the time indicated in said order.

Violations  
reported.

8. The term "public authority" as used in this act shall include the State Highway Commission, the board of chosen freeholders of any county, and the governing body of any municipality.

Definition.

9. This act shall take effect immediately.

Approved March 17, 1921.

## CHAPTER 53.

An Act to validate bonds issued by boroughs.

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

Defective  
ballot  
validated.

1. All bonds heretofore issued by boroughs are hereby validated, ratified, approved and confirmed, notwithstanding any defect in the law directing the form of ballot to be used or in the form used at any election held for the purpose and with the intention of submitting to the voters the proposition of the adoption of an act for the incorporation of a borough or boroughs; *provided* a majority of the voters voting upon the proposition submitted voted in favor thereof.

Proviso.

2. This act shall take effect immediately.

Approved March 17, 1921.

## CHAPTER 54.

An Act to validate elections held on the question of the adoption of acts for the incorporation of boroughs.

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

Election  
validated.

1. All elections heretofore held on the question of the adoption of an act or acts for the incorporation of a borough or boroughs are hereby validated, ratified, approved and confirmed, notwithstanding any defect in the law directing the form of ballot to be used or in the ballot used at any such election; *provided* a majority of the voters voting at any such election voted in favor of the proposition submitted.

2. In all cases coming within the first section of this act, if amended returns as to the proposition submitted and the result thereof have been or shall be filed, such amended returns shall be considered as the true return and the original returns may be disregarded by all officials in certifying the question submitted or returns made.

Amended  
returns ac-  
cepted as  
legal.

3. If any clause or section of this act shall be declared unconstitutional and void, such clause or section shall be excised from this act and the remainder of this act shall stand.

As to consti-  
tutionality of  
act.

4. This act shall take effect immediately.

Approved March 17, 1921.

#### CHAPTER 55.

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-four of the act to which this act is amendatory be and is hereby amended to read as follows:

Section 24  
amended.

24. If any dog is found running at large in the woods or fields, except during the open season now or hereafter provided for killing of quail, rabbit, squirrel, English or ring-necked pheasants, ruffed grouse, prairie chicken, wild turkey or Hungarian partridge, the owner, lessee or custodian of such dog shall be liable to a penalty of twenty dollars for each offense. It shall be unlawful for any person to go into the woods or fields with a hound or firearm, except only during the open season

Penalty for  
dog running  
at large.

Penalty for  
going into  
field or woods  
with gun or  
dog.

now or hereafter provided for killing the above-mentioned game birds or game animals, under a penalty of twenty dollars for each offense; *provided*, that the owner, lessee or custodian of any dog may go into the woods or fields with such dog without firearms for the purpose of exercising or training said dog in daylight, or may hunt foxes with hounds and firearms in daylight, except during the open season for deer. Any person hunting foxes who shall kill, injure, destroy or have in possession any bird or animal the killing of which is prohibited shall be liable to a penalty of one hundred dollars for each bird or animal killed, injured, destroyed or had in possession. Any person who shall kill a fox and fail to report the same within forty-eight hours to a fish and game warden of the county in which such fox was killed, or to the Board of Fish and Game Commissioners at Trenton, shall be liable to a penalty of five dollars; *and further provided*, that this act shall not apply to hunting deer, woodcock, snipe, rail, mud-hen and waterfowl at the time and in the manner provided by law; or to hunting raccoon with dogs and firearms between sunset and sunrise, from the first day of October to the fifteenth day of December, both dates inclusive of each year; or to the killing of crows, hawks, woodchuck, and vermin at any time of year when in the act of destroying poultry, crops or property.

2. This act shall take effect immediately.

Approved March 17, 1921.

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#### CHAPTER 56.

An Act to validate proceedings heretofore had in fire districts where resolutions were offered by the voters at the time and place of voting.

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

Validating  
proceedings.

1. All proceedings heretofore had in any fire district under the provisions of chapter 125 of the Laws of 1916

are hereby validated, ratified, approved and confirmed; notwithstanding the voters of the district voted upon resolutions offered by the voters at the time and place of voting.

2. This act shall take effect immediately.

Approved March 18, 1921.

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CHAPTER 57.

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

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

1. Whenever there shall be certified by the county superintendent to the Commissioner of Education that there has been subscribed or donated a sum not less than four thousand dollars for the purpose of paying the salary of a person to be known as county medical inspector of any county, said commissioner shall appoint, by and with the advice and consent of the State Board of Education, a suitable physician of at least two years practical experience, to be known as county medical inspector for said county, who shall perform such duties as shall be prescribed by rules and regulations adopted by the State Board of Education. The term of office of such county medical inspector shall be one year, but no person shall be appointed as such county medical inspector in any year until there shall have been certified to the commissioner that a sum sufficient to pay the salary of such officer, but not less than four thousand dollars, shall have been subscribed or donated as aforesaid.

County medical inspector.

Appointment.

Term.

Salary.

Apportionment  
by county su-  
perintendent.

As to balance.

2. The county superintendent of the county in which a county medical inspector has been appointed shall, before making his apportionment of the school moneys, deduct from the amount of the railroad tax appropriated to his county the sum of seven hundred and fifty dollars, which sum shall remain in the hands of the county collector, and shall be available only for the payment of expenses incurred by the county medical inspector in the performance of his official duties, which expenses shall be paid by the county collector on bills duly certified by the Commissioner of Education. If at the time of making the then next apportionment of school moneys any balance of said seven hundred and fifty dollars shall be and remain in the hands of the county collector, said county collector shall certify to the county superintendent of schools the amount of said balance, and the county superintendent shall thereupon include said amount in the amount to be apportioned among the schools of his county in the then next apportionment.

3. This act shall take effect immediately.  
Approved March 18, 1921.

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#### CHAPTER 58.

An Act to amend an act entitled "An act to regulate the use of water closets and urinals on railroad trains and other public conveyances," approved April seventeenth, 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 to which this act is amendatory shall be and the same is hereby amended to read as follows:

Boundaries  
of watershed  
set out.

1. Upon the formal request of the board of water commissioners, or other board or official having charge of the public water supply of any city of this State, which said water supply is derived from surface drain-

age in any watershed wholly or partly within this State, it shall be the duty of the Department of Health of the State of New Jersey to prescribe and fix territorial limitations, designating those portions or parts of a railroad line or route of public conveyance which are included in and pass over the.....watershed; the name of such watershed to be inserted in the certificate hereinafter provided.

Name.

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

Section 2 amended.

2. The board of water commissioners, or other board or official making such application to the Department of Health of the State of New Jersey, shall, upon the certificate of the said Department, designating such portion or part of a railroad line or route of public conveyance within said watershed, give public notice of such establishment, by advertisement in two newspapers of general circulation in the vicinity of the said watershed, at least once a week for four weeks, which advertisement shall run in the name of the Department of Health of the State of New Jersey, and shall contain such sufficient description of the portion or part of such railroad line or route of public conveyance as will identify it, and a copy thereof be served upon any agent in charge of any ticket office of any railroad affected by the provisions of this act.

Public notice.

Service of notice.

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

Section 3 amended.

3. When such territorial limitations of a portion or part of any such railroad line or route of public conveyance shall have been designated by the Department of Health of the State of New Jersey, and notice thereof shall have been given in the manner herein prescribed, it shall thereafter be unlawful for any railroad company operating trains, or steamboat or power boat company operating boats within the territorial limitations designated, to discharge or allow any discharge from water-closets and urinals upon railroad trains or any such steam or other power boats as may be operated therein within the territorial limitations prescribed.

No discharge into such watershed.

Penalty.

4. Every corporation violating the provisions of this act shall incur a penalty of not exceeding one hundred dollars, to be recovered in an action of debt at the suit of the board of water commissioners or other board or official having charge of the water supply of such city as shall derive its supply from said watershed; and all moneys which shall be recovered in such manner shall be paid into the treasury of the State; and every person violating any provision of this act shall be guilty of a misdemeanor.

How recoverable.

5. This act shall take effect immediately.  
Approved March 18, 1921.

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CHAPTER 59.

An Act to amend an act entitled "A further supplement to an act entitled 'An act to amend the title and body of an act entitled "An act to provide for the purchase of sites for and the erection and equipment of armories in counties of the third class, and making appropriations therefor, and to provide for the taking of real estate for such sites by a commission in case same cannot be purchased by agreement," approved June eighteenth, one thousand nine hundred and seven,' which said amendment was approved April seventh, one thousand nine hundred and nine, and is known as chapter fifty-two, page seventy-four, of the pamphlet laws of one thousand nine hundred and nine," which said supplement was approved April second, one thousand nine hundred and thirteen.

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

Appropriation for armory at Salem.

1. The sum of fifty thousand dollars, or so much thereof as may be necessary, be and the same hereby

is appropriated out of the State fund, when included in any annual or supplemental appropriation bill, for the erection and construction of an armory at Salem, Salem county, pursuant to chapter two hundred and fifty-four, page six hundred and forty-four, of the laws of one thousand nine hundred and seven, as amended by chapter fifty-two, page seventy-four, of the laws of one thousand nine hundred and nine.

2. This act shall take effect immediately.

Approved March 18, 1921.

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CHAPTER 60.

A Supplement to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one," approved May seventeenth, one thousand nine hundred and twenty.

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

1. Upon the taking effect after passage of an act at this session of the Legislature entitled "An act to abolish the office of State Architect and the Department of Architecture and transferring the powers and duties of said office and department to the Department of Institutions and Agencies," or any amendment or substitute therefor, or by reason of said enactment, at such time as the office of State Architect and Department of Architecture shall be abolished and the work of said office and department transferred to the Department of Institutions and Agencies, all unexpended balances in said account, as stated in said item of said bill to which this bill is supplementary, shall cease to be subject to the disposal of said State Architect or said Department of Agriculture and transferred to the account of the Department of Institutions and Agencies,

Transfer of  
appropriation.

Drawing on fund. and may be drawn upon by the Commissioner of Institutions and Agencies and said department to the extent of said sum and in addition to any other sums otherwise appropriated to the said Department of Institutions and Agencies for the use of the work of State architecture, and the said balances are hereby transferred and constituted as if originally appropriated to the Department of Institutions and Agencies in the bill to which this bill is supplementary. The Comptroller of the Treasury, upon proper certification, shall pay the amounts as in other cases, and shall draw his warrant on the State Treasurer in payment of the amounts so certified by the Department of Institutions and Agencies in due and regular course.

Payments. 2. This act shall take effect immediately.

Approved March 18, 1921.

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CHAPTER 61.

An Act to amend an act entitled "An act to incorporate associations not for pecuniary profit," approved April first, one thousand eight hundred and ninety-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 an amendment be and the same is hereby amended to read as follows:

Trustees. 4. The business of the association shall be conducted by the trustees, subject to the by-laws, which shall be passed by the members; the trustees shall be elected by the members, and shall hold office for one year, or such term as the by-laws provide, and until their successors shall be elected; at least one trustee shall be a resident of this State; there shall be a president, secretary and treasurer, to be chosen by the trustees, unless the by-laws provide for the election of any of them

Officers. by the members; either the president or secretary may

be eligible to the office of treasurer if the by-laws so provide; whenever trustees, managers or directors shall be elected, a certificate, under the seal of the corporation, giving the names of those elected and the term of their office, shall be filed in the office of the clerk of the county in which the original certificate was filed; vacancies shall be filled in the manner provided in the by-laws, and upon filling any vacancy a like certificate shall be filed; there shall be paid to the county clerk a fee of twenty-five cents for filing and indexing each certificate, and to the Secretary of State a fee of one dollar upon filing each certificate.

Filing fees.

2. This act shall take effect immediately.

Approved March 18, 1921.

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CHAPTER 62.

An Act to amend an act entitled "An act for the assessment and collection of taxes (Revision of 1918)," approved March fourth, one thousand nine hundred and eighteen.

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

1. That section six hundred and five of article VI of an act entitled "An act for the assessment and collection of taxes (Revision of 1918)," be amended to read as follows:

Section 605 amended.

605. It shall be the duty of the collector, or other officer having custody of collected taxes, on the first day of each month, or oftener if required by the governing body of the municipality, to report his collections to the governing body of the municipality, and to pay the amount collected to the treasurer or other official of the municipality authorized to receive same. In case the collector shall also be the treasurer of the municipality, he shall immediately upon collection deposit all moneys

Report and payment of collected taxes.

Deposits.

collected in the name of the municipality to his account as treasurer in the place or places designated by the governing body of the municipality. The governing body of each municipality shall cause to be paid to the county treasurer of the county one-half of the amount of the county taxes required to be assessed and raised in such municipalities, on or before the fifteenth day of June in each year, and between the fifteenth day of July and the first day of August in each year, shall cause to be paid to the custodian of school moneys, in the case of school districts in which appropriations for school purposes are made by the inhabitants of the school district, one-half of the amount required to be assessed and raised in such municipality for school purposes; and on or before the fifteenth day of December shall cause to be paid to the custodian of school moneys in such school districts, the remaining half of the school moneys, and to the county treasurer the remaining one-half of the county taxes, and also all of the taxes required to be assessed and raised by taxation in such taxing district for State school and other State purposes. The county treasurer shall pay the State taxes assessed in the taxing districts of his county to the State Treasurer on or before the twentieth day of December in each year; *provided*, it shall be the duty of the governing body of the municipality or the county to cause the county, local school and State taxes to be paid as and when due for payment; if there shall not be funds enough in the treasury available for such payments, the governing body shall immediately borrow such money and pay such taxes. On any part of the taxes payable to the county treasurer or to such custodian of school moneys, and on any part of the taxes payable to the State by the county treasurer which shall remain unpaid after the time within which they are required to be paid by this act, the taxing district or county in arrears shall pay to the county, school district or State, as the case may be, interest at the rate of six per centum (6%) per annum upon such delayed payment.

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 18, 1921.

Payment to  
county  
treasurer.

Payment of  
school  
moneys.

Payment to  
State.

Proviso.

Delayed pay-  
ments to bear  
interest.

Repealer.

## CHAPTER 63.

A Supplement to "An act relative to clerks of counties and of county courts" (Revision), approved April third, one thousand nine hundred and two.

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

1. It shall be lawful for each of the clerks of the different counties to appoint, under his hand and seal from among the employees in his office, some competent person, to be known as "special deputy clerk," who shall hold office during the pleasure of the clerk, but no longer than the term for which said clerk shall be elected; such special deputy clerk, before he enters upon the duties of such office, shall take and subscribe before the judge of the court of common pleas, an oath of like form and character as that required to be taken by the said clerks, which appointment, with the certificate of the oath or affirmation indorsed thereupon and attested by the said judge, shall be filed and always thereafter kept in the office of said clerk so making the appointment, and the special deputy clerk, as aforesaid, shall, during the absence or inability of the clerk and the deputy clerk, have the same powers and perform all the duties which are now or shall be imposed or conferred by law upon the different clerks and deputy clerks of the counties respectively; *provided*, no additional compensation shall be paid such special deputy by the county, except as provided by law, for the payment of compensation to the employees of the clerks' offices of the several counties.

Special. deputy  
county clerks.

Term.

Oath.

Duties.

Proviso.

2. This act shall take effect immediately.

Approved March 18, 1921.

## CHAPTER 64.

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

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

Section 20  
amended.

1. Section twenty of an act entitled "A general act relating to boroughs (Revision of 1897)," approved April twenty-fourth, one thousand eight hundred ninety-seven, be and the same is hereby amended so as to read as follows:

Compensa-  
tion of bor-  
ough assessor  
and collector.

20. The assessor and collector shall receive such yearly compensation for their services as the Council shall by ordinance fix and determine," which compensation shall not be diminished during the term for which such officer was elected and which compensation shall not be increased more than once during the term for which such officer was elected.

2. This act to take effect immediately.

Approved March 18, 1921.

## CHAPTER 65.

An Act to authorize the governing body of any municipality to appropriate money in aid of volunteer fire companies.

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

Definition.

1. The term "municipality" or "municipal corporation," where used in this act, shall be construed to mean

“city,” “town,” “township,” “village,” “borough,” and any municipality governed by a board of commissioners, or improvement commission.

2. It shall be lawful for the governing body of any municipality of this State to appropriate and raise such sum of money, not exceeding one thousand dollars, annually, as in their judgment may be deemed necessary to aid volunteer fire companies in any such municipalities; *provided*, the said fire company shall own and maintain its own apparatus.

Assistance for volunteer fire companies.

Proviso.

3. It shall be lawful for the governing body of any municipality in this State to appropriate and raise such sum of money, not exceeding one thousand dollars, annually, as may be deemed necessary and appropriate to aid volunteer fire companies located in adjoining municipalities in the habit of responding to fires in said municipality; *provided*, the said fire company shall own and maintain its own apparatus.

Amount.

Proviso.

4. This act shall take effect immediately.  
Approved March 18, 1921.

CHAPTER 66.

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

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

1. It shall be lawful for any Church of Christ, Scientist, in this State, which is a branch of, and which is organized in accordance with the provisions of the Manual of, The First Church of Christ, Scientist, in Boston, Massachusetts, hereinafter referred to as The Mother Church, to become incorporated under and by virtue of the provisions hereinafter stated.

Incorporation of Christian Science church lawful.

2. A meeting shall be called by a written notice signed by six duly enrolled members of full age, of such

Calling of meeting.

church. This notice shall designate the time and place of such meeting and the objects for which it is called; namely, for the purpose of incorporating such church, selecting a corporate name therefor and electing trustees thereof; and said notice shall be publicly read at each regular service of such church, on the two successive Sundays and the Wednesday next preceding such meeting.

Who may vote.

Only duly enrolled members of said church, in good and regular standing and of full age, shall be entitled to vote or act as officers at said meeting; nine qualified voters shall constitute a quorum at said meeting; and all questions shall be decided by a vote of the majority of those present.

Quorum.

Organization of meeting.

The members of said church having met at the time and place appointed, the meeting shall be called to order by one of the signers of the notice thereof. At such meeting there shall then be elected from the qualified voters present, a chairman, a clerk and two inspectors of election. The clerk of the meeting and the inspectors of election shall be the judges of the qualifications of the voters and shall receive the ballots cast.

Decision reached:

3. The meeting shall then decide whether such church shall become incorporated, and if the decision be in favor of incorporation, the meeting shall decide further:

Corporate title;

I. The corporate title, which shall be "Church of Christ, Scientist," prefixed by "First", "Second", "Third" or other numerical designation, and followed by the name of the place where it shall be located.

Election;

II. The date for holding the first annual election of the trustees thereof.

Trustees;

III. The number of trustees of such church, which shall be not less than three.

Terms.

The meeting shall then elect, by ballot, from the individuals qualified to vote thereat, the number of trustees so decided upon, which shall be divided into three classes to serve for one, two and three years respectively, or until their respective successors shall be elected and take office. A majority of the votes cast shall be necessary to elect each of such trustees.

Acknowledgments:

4. The chairman and clerk of said meeting shall make, sign and acknowledge before any person au-

thorized to take the acknowledgment and proof of deeds in this State and transmit to the clerk of the county in which said church is located, a certificate, in writing, which shall set forth:

I. That the said meeting was called and organized in accordance with the provisions set forth in section two of this act; Legal meeting;

II. The name assumed as the corporate title; Title;

III. The number of trustees; and Trustees;

IV. The names of the individuals elected as trustees with the term of office of each. Names of trustees.

It shall be the duty of the said county clerk promptly to file and record said certificate for which he shall be entitled to receive one dollar. Record filed.

Upon the filing and recording thereof, said trustees and their successors shall be and thereafter continue to be a body politic and corporate, in fact and in law, by the name so adopted and expressed in such certificate. Legal existence.

5. Every such incorporated board of trustees elected in accordance with the provisions of this act shall have power: Powers:

I. To have perpetual succession by its corporate name. Succession;

II. To sue and be sued in any court of law or of equity. Suits;

III. To make and use a common seal and alter the same. Seal;

IV. To purchase, lease, acquire, receive, have and hold any lands, tenements, hereditaments, legacies, donations, moneys, goods and chattels in trust for the use of the enrolled members of such church; and to sell, grant, convey, mortgage, lease, assign or otherwise dispose of the same or any part thereof; *provided*, that no such sale, conveyance, mortgage or lease of any real property, held in trust as aforesaid shall be made unless previously authorized by two-thirds of the votes cast at a regular or special meeting of its enrolled members duly called for that purpose. Property. Proviso.

6. That every Church of Christ, Scientist, incorporated according to the provisions of this act shall have power to make such by-laws as are not inconsistent with the constitution or laws of the United By-laws.

States or of this State, or with the provisions of the manual of said The Mother Church.

Succession in trustees.

7. That for perpetuating a line of succession in the trustees of any church incorporated hereunder, it shall be lawful for the enrolled members of such church who are of the full age of twenty-one years to assemble at a duly called regular or special meeting, and when so assembled to fill any vacancies or to elect new trustees by the same vote hereinbefore required for the election of the first trustees.

Who may incorporate.

8. Any Church of Christ, Scientist, which is a branch of, and which is organized in accordance with the provisions of the manual of, said The Mother Church, and which is incorporated under the provisions of any act, general, special or private, in this State, may become incorporated under the provisions of this act, upon taking the proceedings prescribed in sections two, three and four hereof in the same manner as if it had not previously been incorporated; *provided*, that in a case where the trustees of the congregation of such church are incorporated under the first eight sections of the act to which this is a supplement, such congregation shall have decided by a two-thirds vote of those present, at a regular or special meeting duly called for that purpose that the new corporation when duly organized under the provisions of this act, shall be entitled to and invested with all the real and personal estate of the old corporation, in like manner and to the same extent as the old corporation, subject to all its debts and liabilities, and *provided further* that the certificate of the new corporation shall set forth that the said congregational meeting was duly called and shall also set forth a copy of the resolution passed at said meeting, and thereupon the former corporation shall be dissolved, and the new corporation shall be entitled to and invested with all the real and personal estate of the old corporation, in like manner and to the same extent as the old corporation, subject to all its debts and liabilities.

Proviso.

Proviso.

May change name.

9. That it shall be lawful for any such church duly incorporated under this act at any regular or special meeting of its enrolled members, duly called for that

purpose, to change its corporate title or the number of its trustees, by a two-thirds vote of those present, who are of the full age of twenty-one years, *provided* Proviso. that if the said church shall, as above provided, vote in favor of such change or changes, then a certificate shall be executed by the chairman and clerk of said meeting in the same manner as hereinbefore provided for the execution of the certificate of incorporation and shall be immediately filed and recorded in the office of the clerk of the county in which said church is located, for which he shall be entitled to receive one dollar as his fee therefor.

10. This act shall take effect immediately.

Approved March 18, 1921.

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#### CHAPTER 67.

An Act to confer on the members of the Board of Commerce and Navigation all the powers of a justice of the peace, recorder, or police judge, under an act entitled "An act defining power vessels and providing for the registration of the same and the licensing of the masters thereof; providing for the regulation of power vessels and boats navigating the waters within the jurisdiction of this State above tidewater; fixing the amount of license and registration fees and providing penalties for violation of its provisions," approved April fifteenth, one thousand nine hundred and nineteen, and the several supplements thereto and acts amendatory thereof.

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

1. The members of the Board of Commerce and Navigation duly commissioned are each hereby vested

Members  
vested with  
police powers.

with all of the powers of a justice of the peace, recorder, or police judge, conferred in an act entitled "An act defining power vessels and providing for the registration of the same and the licensing of the masters thereof; providing for the regulation of power vessels and boats navigating the waters within the jurisdiction of this State above tidewater; fixing the amount of license and registration fees and providing penalties for violation of its provisions."

2. This act shall take effect immediately.

Approved March 18, 1921.

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#### CHAPTER 68.

An Act to provide for the publishing and distribution of histories of the war activities of municipalities and their citizens, and to validate contracts heretofore made for such purpose.

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

Municipal  
history of  
war.

Published by  
contract.

Previous con-  
tract validated.

Appropriation.

1. It shall be lawful for the governing body of any municipality to prepare or have prepared a history of the part taken by said municipality or its citizens in the activities incident to or caused by their participation in the World War against Germany and its Allies, and to make contracts for the publishing of said history and further provide for the distribution without cost or for sale, as the governing body may determine; and for such governing body to defray the costs of such work by appropriation in their annual budget.

2. When the governing body of any municipality has heretofore made a contract for the publishing of such history in good faith, such contract is hereby ratified and made legal and binding. The governing body is hereby authorized to make appropriation in the annual budget, or to make appropriation for and to issue emergency

notes as provided by section twenty-five of "An act concerning municipal and county finances", approved March twenty-eighth, one thousand nine hundred and seventeen, and amendments thereto or supplements thereof, or to appropriate funds from the surplus revenues of such municipality for the payment of such indebtedness.

3. This act shall take effect immediately.  
Approved March 18, 1921.

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CHAPTER 69.

An Act to amend an act entitled "An act concerning boards of street and water commissioners in cities of the first class in this State, and providing for pensions for such employees as may contribute towards the creation of a fund for providing such pensions," approved April fourteenth, one thousand nine hundred and fifteen.

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

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

Section 2  
amended.

2. For the purpose of forming such a pension corporation or association, the chief engineer or other chief officer or person in charge of such employees shall notify each employee of such board holding any position of permanent employment or seasonal employment, not including laborers, unless such labor work is paid on a weekly, monthly or annual salary basis for a continuous employment of such labor, and recognized as permanent appointees of the board, it being the intent to exclude transient labor employment from the operation of this act, to attend a meeting to be held not less than five days after the giving of such notice, to consider

Formation of  
association.

Notification of  
meeting to  
consider sub-  
ject.

the formation of a corporation in accordance with this act. Said notice shall be in writing and shall specify the time and place of the meeting of such employees. If two-thirds of the employees present at such meeting shall vote in favor of forming such a corporation they shall adopt a resolution to that effect and shall choose a name for the corporation, and shall organize by electing three persons selected from the said employees of such board, who, together with the executive head of the board or department having charge or control of the streets and public improvements in such city and the chief engineer, or person in charge of said employees, the latter two being ex officio members), shall constitute a board of trustees. The first trustees so created under this act shall prepare and sign a certificate reciting the adoption of the resolution by the employees as hereinbefore directed, the name adopted, the appointment of trustees, the organization and the names of officers and execution of the certificate, for the purpose of forming a corporation under this act for the purposes herein set forth, which certificate shall be recorded in the office of the clerk of the county wherein such corporation shall be organized, and shall then be filed in the office of the Commissioner of Banking and Insurance, at Trenton, in this State, and thereupon such trustees, their associates and successors, shall be and become a body politic and corporate in law with all the powers incident thereto.

2. Section eight of the act to which this act is an amendment, as the same was amended by chapter 91 of the Laws of 1917, and further amended by chapter 259 of the Laws of 1919, is hereby amended to read as follows:

8. All pensions granted under this act shall be exempt from execution, attachment or any other legal process whatever. Such pension fund shall be provided and sustained as follows:

I. By all rewards, fees, gifts or emoluments paid or given for extraordinary services rendered by any member of the pension association, except when the same is allowed by the board of street and water commissioners, or its successor, specifically to such member of the pen-

Board of trustees.

Certificate of organization.

Filed in banking and insurance department.

Section 8 amended.

Pension exemptions.

Fund, how provided:

Fines, fees, etc.;

sion association, or when the same is especially given to endow a medal or some other competitive reward.

II. By all appropriations, donations, devises and bequests that may be made or given to such pension fund by any such municipality or other corporation or person, and any such municipality is hereby authorized to make appropriation to any pension fund created under this act.

Municipal or private contributions;

III. The board of trustees of any pension corporation or association created under this act may assess and collect from each and every member of the association or employee of such board of street and water commissioners, or its successor, who shall take advantage of this act as herein provided a sum not exceeding two per centum of his annual salary, and such further sum or sums as may be fixed by the board of trustees in their discretion with the concurrence and assent of at least two-thirds of the membership of such pension corporation or association, which said sum or sums shall be paid by each member to the treasurer of such pension corporation or association, and such assessment and collection shall be made in manner and form as may be provided in the by-laws of the pension association, and whenever any such member of the pension association shall die, leave or be discharged from the employ of any such board of street and water commissioners, or its successor, having served therein for a less term than twenty years, all payments made by such employee to such pension fund shall be forfeited by him, and shall be added to and become part of such pension fund; *provided, however*, that if any employee of such board of street and water commissioners, or its successor, member of the pension association formed in accordance with this act, shall be suspended, dropped or discharged from such employment after having paid into such pension fund for a period of over one year, and whose suspension or discharge shall continue for a period longer than two years, he shall be entitled to received from such pension fund the amount of money which such employee shall have paid into the pension fund, but such person shall not thereafter be eligible for a pension under this act unless upon a re-employment by the city he shall

Assessment on members;

Amount.

Collection.

Forfeited amounts.

Proviso.

Refunding amount paid in.

Retention of assessment by city treasurer.

pay to such pension fund the amount of any rebate made to him. The obligation to refund payments made to the pension association shall not apply to any employee suspended or discharged for causes which bar him from eligibility to reappointment under the civil service rules. The board of trustees is hereby empowered, in its judgment, to make it a condition of membership in the pension association hereby authorized to be formed that each member shall sign an order on the city treasurer directing the retention of the amount of the assessment levied upon members of the pension association, to be paid over directly to the association by retention from his salary, or, in the case of men on the weekly payroll, an order on the disbursing officer to the same effect, and the city treasurer and any disbursing officer is hereby directed to make such retentions and payments as provided herein; *provided*, that such retentions from salary payments shall only become operative in the event of the same being incorporated as a part of the by-laws of any pension association formed under this act.

Proviso.

Amount contributed by municipality.

IV. The municipality shall raise by taxation and pay into said fund yearly, an amount equal to four per centum of total salaries paid to such employees.

In case there shall not be sufficient money in said pension fund created as aforesaid, the governing body of such municipality shall include in any tax levy an amount sufficient to meet the requirements of said fund for the time being.

Section 9 amended.

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

Payments from fund:

9. Pensions shall be paid from such fund in the following manner:

Those serving 25 years and retired on application;

I. In any city of the first class in this State in which this act shall become operative all members of such pension corporation or association formed from the employees of any board of street and water commissioners, or its successor, who shall have served in the employ of the city in the aggregate for twenty years, and attained the age of sixty years, shall upon application to the board of street and water commissioners, or its successor, in such city, be retired by such board, or its suc-

cessor, and shall thereafter receive from the pension fund created under this act an amount equal to one-half of his salary at the time of his retirement.

II. If any employee of the board of street and water commissioners, or its successor, member of the pension association, hereby authorized to be formed, shall hereafter become incapacitated, either mentally or physically, for the performance of his duties, whenever such incapacity is the result of injury received or illness incurred in the discharge of his duties as an employee of such board of street and water commissioners, or its successor, he may be retired by such board, or its successor, and thereupon be entitled to receive from such pension fund, during the term of such incapacity or injury, an amount at the rate of one-half of his annual salary at the time of his retirement.

Retired for  
incapacity;

Amount  
payable.

III. Any employee of the board of street and water commissioners, or its successor, member of the pension association, who shall have served the city twenty years in the aggregate, and shall become incapacitated either mentally or physically, from illness or injury incurred in the performance of his duty as such employee, or who by reason of advanced age is found unfit by the board of street and water commissioners, or its successor, for the performance of his duties, shall be retired by said board, or its successor, and shall be entitled to receive from the pension fund created in accordance with this act an amount equal to one-half of his annual salary at the time of his retirement. *Provided*, that in case of the retirement of any member of such pension association, who became a member thereof prior to the approval of this act, the municipality shall pay into the pension fund such portion of the pension of one-half of the annual salary of such pensioner at the time of his retirement, which shall be in excess of the amount of pension provided for such pensioner in the act to which this act is an amendment.

Serving 20  
years, inca-  
pacitated or  
retired as  
unfit.

Proviso.

Amount.

IV. No pension shall be paid out of the fund created under this act until five years after the creation of the pension corporation or association provided for under this act, and all pensions herein provided for shall be

First pay-  
ment.

paid in the manner which may be determined by the board of trustees of such pension fund.

Repealer.

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

Approved March 18, 1921.

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CHAPTER 70.

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 improvement of parks and parkways in any county in this State in which said act shall or may hereafter be in force, the board of chosen freeholders shall, from time to time, in addition to any bonds theretofore authorized by law, on the requisition of 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 thousand dollars over and above the total amount theretofore authorized by law.

Amount.

Authorization.

Such bonds shall be issued in accordance with an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness, by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, which act

is chapter 252 of the Laws of 1916 and amendments thereto and supplements thereof. 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.

Use of proceeds.

2. This act shall take effect immediately.

Approved March 18, 1921.

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CHAPTER 71.

A Supplement to an act entitled "An act to regulate the cold storage of food and the sale or distribution of articles of food after cold storage," approved March sixteenth, one thousand nine hundred and sixteen.

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

1. Any person or persons, firm or corporation changing, altering, obliterating, mutilating, destroying, removing or eradicating any brand, stamp, tag or mark placed upon any article of food or its container to indicate the day, month and year such article was received for storage or refrigerating either in or out of the State and any person or persons, firm or corporation branding, stamping, tagging or marking such article of food or its container with a date other than the one on which it is in fact received for storage or refrigerating shall be guilty of a violation of the act to which this act is a supplement and subject to the penalties or punishment therein provided.

Retaining markings on food placed in cold storage.

2. This act shall take effect immediately.

Approved March 18, 1921.

## CHAPTER 72.

An Act providing for the distribution of crushed stone to certain municipalities by boards of chosen freeholders in counties of the second class operating quarries and stone-crushers.

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

Freeholders  
to furnish  
crushed  
stone to  
municipalities.

1. In every county of the second class in this State wherein any stone-quarry or quarries and any stone-crusher or crushers operated in connection therewith are owned and worked by such county, it shall be lawful for and the duty of the board of chosen freeholders of every such county to furnish and supply therefrom, free of any cost and charge, towards the making, working, amending and repairing of the public roads and highways in the cities, towns and townships in said county, and roads and walks in public parks of such municipalities, whether the same be within or without the municipal limits of such municipality, excepting improved county roads, such quantity of crushed or broken stone, and of such size or sizes, as shall be requested by said city, town or township, and as hereinafter provided; *provided, nevertheless*, that the quantity to which all such cities, towns or townships shall be entitled, and which said board of chosen freeholders shall be required to furnish and deliver as aforesaid, shall not exceed a total of ten thousand tons annually, to be apportioned among the several cities, towns and townships in such counties, pro rata, based on the amount of county tax raised and actually paid to the collector of such county in any year.

Proviso.

Total ton-  
nage.

Stone fur-  
nished on  
request.

2. It shall be the duty of every such board of chosen freeholders to cause to be furnished and delivered free on board at said quarry or quarries to any such city, town or township, upon the written request of the

mayor, chairman or other principal officer thereof, and to such person or persons as he may designate to receive the same, so much of said crushed or broken stone, and in such quantities and of such size or sizes, as shall, from time to time, be requested, not exceeding five hundred tons nor less than one hundred tons in any single requisition, and the same shall be distributed and assigned by the municipal authority of such city, town or township, and thereafter used under the direction of the person designated by such municipal authority or persons or officers having charge and supervision of the public roads and highways in said city, town and township for the purposes in the first section in this act provided.

Tonnage.

3. In the event of the proper authorities of any such city, town or township failing to demand in writing to the board of chosen freeholders or the chairman of the committee on workhouse of said board of such county, and providing for the shipment of the same before the first days of April, July, September and November in any year for the share or portion of crushed stone to which it shall be entitled at each quarterly distribution under the provisions of this act, then and in that case such portion or share shall immediately be reapportioned in the next succeeding quarterly distribution among the several cities, towns and townships of such counties as provided for in the first section of this act; which said board of chosen freeholders shall be required to furnish and deliver under the provisions of this act, and shall not exceed ten thousand tons in any year.

Reapportionment of unclaimed stone.

4. The stone so furnished and delivered as aforesaid shall be used for and applied to the purposes mentioned in this act and for no other purposes whatsoever; and that if any person shall sell, or offer to sell, any of said stone or dispose of the same for any other purpose than as provided in this act, he, she or they so offending shall be deemed and adjudged guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding ninety days, or both; *provided, however,* that it shall and may be

Exclusive use of stone.

Penalty.

Proviso.

lawful for any such city, town or township in said county, if said city, town or township be so distant from said stone quarry and any stone-crusher operated in connection therewith as to make it inconvenient to haul said stone, to sell its share of such crushed or broken stone so apportioned, and to use the money obtained therefor in the purchase of other stone, or to exchange such stone so apportioned for other stone, such stone so bought or exchanged to be used only for the purposes set forth in this act.

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 March 18, 1921.

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### CHAPTER 73.

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, and all amendments and supplements thereto.

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

Section 158 amended.

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

County detectives.

158. The prosecutor of the pleas in the several counties which now have or hereafter may have a population of more than seventy thousand and not more than three hundred thousand inhabitants may appoint suitable persons, not exceeding three in any county, to act as special officers for the detection, arrest, indictment and conviction of offenders against the law. Such persons so appointed shall possess all the powers and rights

Duties and powers.

and be subject to all the obligations of constables and police officers in any county of this State, and before such person shall enter upon his duties as said officer, his appointment shall be approved by the judge of the Court of Quarter Sessions of said county, and each person so appointed shall receive, in counties having a population of not less than seventy thousand and not more than two hundred thousand, an annual salary of not less than eighteen hundred dollars, and not more than twenty-six hundred dollars, and each person so appointed in counties having a population of not less than two hundred thousand and not over three hundred thousand shall receive an annual salary of not less than twenty-two hundred dollars and not more than twenty-six hundred dollars; which sum shall be fixed by the judge and prosecutor, to be paid by the county treasurer in equal semi-monthly installments out of the funds of the county; *provided*, that the maximum annual salary of the officer designated as chief of county detectives in the aforesaid counties shall be three thousand dollars, which sum shall be fixed by the judge and prosecutor, to be paid by the county treasurer in equal semi-monthly installments out of the funds of the county.

2. The special officer or officers named in the next preceding section shall not be eligible to receive any increase in salary over the minimum salary as stated in the next preceding section until he or they shall have served five continuous years as a special officer or officers in the prosecutor's office. No increase in salary, fixed by the judge or prosecutor shall exceed more than one hundred dollars per year for each year of service over five years, and all increases shall cease when the respective maximum sums named in the preceding section are reached; *provided, however*, that any special officer who is now or has been employed in the prosecutor's office as special officer for a period exceeding five years, the judge and prosecutor may fix an increase in salary for any sum equal to one hundred dollars per year for each year of service now served over five years, which total salary shall not exceed the respective maximum sums named in the next preceding section; *provided, further*,

Salary.

Sum fixed.

Proviso.

Increase of  
of salary.

Proviso.

Proviso.

if any person shall have served in a regularly organized city police department, or as a justice of the peace, or as a constable, or as a law enforcing officer in the service of any municipality of this State prior to his appointment as special officer in the prosecutor's office, that then and in such case the judge and prosecutor in fixing the salary of such officer, may take into consideration the time of service of said officer as an officer in such previous service the same as if such officer had been continuously in the service of said prosecutor's office.

Repealer.

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

4. This act shall take effect immediately.

Approved March 18, 1921.

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#### CHAPTER 74.

An Act to amend and supplement an act entitled "An act to secure the purity and wholesomeness of shellfish," approved February twenty-ninth, one thousand nine hundred and twelve.

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

Section 8 amended.

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

Penalty for certain offenses under this act.

8. Any person 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 Department of Health under the authority contained in section five of this act, or who shall gather any oysters, clams or other shellfish from any oyster or clam beds or other place which has been condemned by the State Department 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 any oysters, clams or other shellfish taken from any oyster or clam bed or other place which has been condemned by said department unless he shall first have secured a permit in writing to take oysters, clams or other shellfish from oyster beds, clam grounds or other places which have been condemned by the said Department of Health, or unless he shall have secured a permit from said department to distribute, sell, offer or expose for sale or have in possession oysters, clams or other shellfish which have been taken from said condemned waters, 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.

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

Section 9  
amended.

9. Every District Court in any city or judicial district, every justice of the peace in any county, and any recorder in any city, upon receiving complaint in writing duly verified, of the violation of any provision of this act, is hereby authorized and required to issue process at the suit of the Department of Health of the State of New Jersey, as plaintiff, which process shall be either in the nature of a summons or warrant against the person so charged, which process, when in the nature of a summons shall be returnable in not less than one nor more than fifteen days, and when in the nature of a warrant shall be returnable forthwith; such process shall state what provision of the law is alleged to have been violated and upon the return of such process or at any time to which the trial shall have been adjourned, the said court, justice of the peace or recorder shall proceed in a summary way to hear and determine the matter without the filing of any pleadings for the plaintiff or for the defendant, and upon conviction shall impose upon the defendant the penalty prescribed, together with the costs of prosecution, and if any person so convicted shall fail to forthwith pay the penalty imposed, together with the cost of prosecution, the said court, justice of the peace or recorder shall, except

On complaint  
process to  
issue.

Hearing.

Imposition  
of penalty.

in a case of a corporation, cause the defendant to be committed to the county jail for a period not exceeding ninety days, or until such penalty and costs are paid. In case judgment shall be rendered against a body corporate execution shall be issued against the goods and chattels of such body corporate.

Detention of defendant on adjournment of hearing.

Any hearing to be held pursuant to this act may for good cause shown be adjourned from time to time, but in such case, except in the case where the first process was a summons, it shall be the duty of the judge of the district court, justice of the peace or recorder to detain the defendant in safe custody until trial of said charge, unless he shall make a cash deposit or enter into bond to the Department of Health of the State of New Jersey with at least one sufficient surety, in double the amount of the penalty claimed, conditioned for his appearance on the day to which the hearing shall be adjourned, and such bond, if forfeited, may be prosecuted by the said Department of Health, and such cash deposit, if forfeited, shall be paid to said Department of Health.

Powers of officers to arrest.

3. Any constable, police officer or inspector of the Department of Health of the State of New Jersey is hereby empowered to arrest, without warrant, any person who shall, within the view of such constable, police officer or inspector, violate any of the provisions of this act, and to take such person before a judge of a District Court, justice of the peace or recorder in the county where the offense was committed, and said judge of the District Court, justice of the peace or recorder before whom such offender shall be taken is hereby authorized and required, after receiving from said constable, police officer or inspector of the Department of Health of the State of New Jersey, a complaint in writing, duly verified, setting forth the nature of the offense for which such person was arrested, to proceed to hear and determine the matter and impose the penalty provided in section nine of this act.

Court's action.

Appeal may be taken.

4. Any party to any proceeding instituted under this act may appeal from the judgment or sentence of the District Court, justice of the peace or recorder, to the Court of Common Pleas of the county in which the said pro-

ceeding was instituted, provided the party appealing shall file a notice of appeal with the District Court, justice of the peace or recorder within ten days after the date of said judgment, serve a written notice of appeal upon the opposite party within ten days after the date of such judgment, and deliver to the District Court, justice of the peace or police magistrate a bond to the opposite party in double the amount of the judgment appealed from, with at least one sufficient surety, conditioned to prosecute the said appeal and to stand to and abide by such further order or judgment as may be made against said party.

5. This act shall take effect immediately.

Approved March 18, 1921.

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CHAPTER 75.

Supplement to an act, entitled "An act concerning trust companies (Revision 1899)," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

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

1. Any trust company organized under the act to which this is a supplement, or under any special act, conducting its business by means of a principal or main office, and one or more branch offices or agencies, all located in the same county, may, in the manner herein provided, and with the approval of the Commissioner of Banking and Insurance,

Regarding  
branch offices.

(a) Change the location of its principal or main office to the location of a branch office or agency; (b) change the location of a branch office or agency to the location of its principal or main office; (c) change the name or designation of any branch office or agency the location of which may be so changed.

Changes.

Adoption of  
changes.

2. Any such trust company may do all or any of the things authorized to be done by the first section hereof, by the adoption at a meeting of its board of directors, by the affirmative vote of at least two-thirds of all the members thereof, of a resolution setting forth the changes to be made and the date when the same are to go into effect, a copy of the resolution so adopted accompanied by a sworn certificate of the secretary of the trust company and under its seal, setting forth the adoption of such resolution in accordance with the provisions hereof, shall be presented to the Commissioner of Banking and Insurance, who, if he shall approve such changes, shall place his written approval on said certificate and file the same in his office, upon such filing the changes set forth in said resolution shall become effective from the date therein stated.

Approval.

3. This act shall take effect immediately.  
Approved March 22, 1921.

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#### CHAPTER 76.

An Act to amend and supplement an act entitled "An act concerning the charitable, hospital, relief, training, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State, which are supported in whole or in part from county, municipal or State funds," approved April eleventh, one thousand nine hundred and nineteen.

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

Section 109  
amended.

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

109. The State board shall have power to create within the department a division of education, a division of medicine and psychiatry, a division of labor and agriculture, a division of statistics, a division of parole, a division of food and dietetics, a division of architecture and construction, and such other divisions as it may deem necessary. Each division shall be in charge of a qualified expert who shall be appointed by and receive the compensation fixed by the commissioner with the approval of the State board. The State board may in its discretion combine the duties of two or more divisions under one head. The division chiefs shall perform such services at such times and places and exercise such powers as the commissioner shall prescribe. The commissioner may from time to time, with the consent of the State board, designate one of such division chiefs to exercise the powers and perform the duties of commissioner during his disability or absence.

Subdivisions of State department.

Expert at head.

Duties.

Acting commissioner.

2. Section one hundred and twenty-three of an act entitled "An act concerning the charitable, hospital, relief, training, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State which are supported in whole or in part from county, municipal or State funds," approved April eleventh, one thousand nine hundred and nineteen, be and the same is hereby supplemented by adding thereto subsections to be known as sections one hundred and twenty-three a, one hundred and twenty-three b, one hundred and twenty-three c and one hundred and twenty-three d.

Additions to section 123.

123a. The State board, except as hereinafter provided, shall exercise all the powers and perform all of the duties heretofore vested in or imposed upon the State Architect or the State Department of Architecture by whatever name known, and shall, through the commissioner and other appropriate board, division, commission or bureau of the department, conduct all State institutional building operations and all constructive work allied thereto, except for the State Board of Education, the State Department of Public Instruction or any division thereof. It shall at all times render assistance to all other State departments, except the De-

Department of Architecture.

Construct State buildings.

Assistance.

partment of Public Instruction in determining the designs, location and arrangements of all public works and of all of their approaches and appurtenances calling for architectural treatment and the services of engineers, and shall approve the design of all such features thereof as are susceptible of architectural treatment. No payment shall be made on any contract for work done for the State except for the State Board of Education, the State Department of Public Instruction or any division thereof requiring architectural treatment except upon the certificate of the commissioner addressed to the Comptroller, setting forth that the drawings and specifications have been complied with, which certificate shall be endorsed by the State board and by the board or body to which the appropriation was made. All specifications and contract drawings made for the commissioner, as hereinafter provided, shall be signed by the technical assistant responsible to the commissioner for their preparation and shall be approved by him, by the State board and by the commission, board or body to which the appropriation was made. When so signed and approved no other body shall have power to modify or change such specifications or drawings except that the commissioner may at any time during the progress of the work, with the approval of the State board and of the commission, board or other body, make necessary additions thereto or deviations from the amount thereof; *provided*, that the sum appropriated for the said work is not thereby exceeded, unless the State House Commission shall have made an emergency appropriation to supplement the appropriation made therefor.

123b. Subject to the supervision and ultimate authority of the State board, the commissioner shall cause to be prepared all drawings, specifications and building contracts, determine the kind and quality of materials to be employed, interpret the meaning of drawings and specifications and adjudicate technical disputes between the State and its contractors except as herein otherwise provided. Within the appropriation provided for any board, division, committee or commission of the Department of Institutions and Agencies and with the

Payment on account of contracts.

Specifications.

As to changes.

Proviso.

Preparation of drawings, specifications, etc.

Technical assistance.

approval of the State board, he may employ such technical advisors as the work of his office necessitates and with the approval of the State board and of the State House Commission, he may pay for the services of architects, engineers and other technical assistants employed to prepare plans, specifications and drawings and for their superintendence from the appropriations for the building or buildings or public work they are retained to plan, design or supervise, at a rate which shall not be in excess of the schedule of minimum charges adopted by the American Institute of Architects, or by the American Institute of Electrical Engineers, or by the American Society of Mechanical Engineers, or by the American Society of Civil Engineers. Institutional boards of managers or other agents or agencies of the State in charge of institutions, departments divisions or commissions except the State Board of Education, the State Department of Public Instruction or any division thereof for which appropriations have been made may nominate to the State board architects, engineers or other technical assistants whom they may recommend that the commissioner with the approval of the State board and of the State House Commission, shall employ and the commissioner may consider these nominations in making recommendations for the employment of such assistants. It shall also be the duty of the commissioner to cause to be prepared a map or plan of each institution, showing the layout of buildings, heating, lighting and power plants, water and sewage disposal works and all other approaches and appurtenances of each such institution.

Pay for services.

Schedule of charges.

Recommendation of expert assistants.

Layout of buildings, etc.

123c. The commissioner may, with the approval of the State board, at a time to be fixed by it select by competition from among the architects legally registered in the State an architect to design any specific building or structures.

Competition sought.

The designs of the competitors shall be judged by a jury of three disinterested architects, one selected by the State board, one by the competitors and the two so chosen shall select a third judge.

Jury on designs.

Should the jury discover among the competitors any whose designs indicate an ability to solve the problems

Choice certified and appointed.

acceptably it shall certify its first choice to the commissioner and the competitor so certified shall be appointed by the commissioner as an associate of the chief of the division of architecture and construction to design the specific building or structure competed for.

Advertising.

123d. After plans and specifications shall have been approved as provided in section one hundred and twenty-three a hereof, all advertising incidental to the awarding of contracts for building operations or constructive work allied thereto shall be placed by the commissioner and paid for by the commission, board or body to which appropriation to cover such work or operation shall have been made. All proposals for such operations shall be received at the commissioner's office in the presence of the commission, board or body to which appropriation to cover such work or operation shall have been made and there opened and read and the award shall be made within fourteen days thereafter by the commissioner with the approval of the State board.

Proposals  
and award.

Exceptions.

123e. Nothing herein contained shall be construed to apply to appropriations made to the State Board of Education or to the State Department of Public Instruction or any division thereof nor to prohibit the State Board of Education, the Commissioner of Education or the State Department of Public Instruction, as the case may be, from conducting it or their own building operations.

3. This act shall take effect immediately.

Approved March 22, 1921.

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#### CHAPTER 77.

An Act making an appropriation for State-aid purposes in the construction of the Long Beach boulevard from Surf City to Barnegat City in the county of Ocean.

Preamble.

WHEREAS, The original estimates of the State's share for State-aid purposes in the construction of the

highway from Surf City to Barnegat City were insufficient, and

WHEREAS, That in order that the proper proportion of the State's share shall be allotted for said work; therefore, Preamble.

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

1. There is hereby appropriated to the State Highway Commission, for additional State aid for the construction of the Long Beach boulevard from Surf City to Barnegat City in the county of Ocean, the sum of thirteen thousand dollars (\$13,000). Such appropriation shall be included in the annual appropriation bill for the fiscal year beginning July first, one thousand nine hundred and twenty-one. Additional appropriation for road.

2. This act shall take effect immediately.

Approved March 22, 1921.

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#### CHAPTER 78.

An Act fixing the compensation of prosecutors of the pleas in counties of this State bordering on the Atlantic ocean having a population of more than seventy-five thousand.

WHEREAS, The population of certain counties bordering on the Atlantic ocean is very largely increased during certain seasons of the year, thereby greatly increasing the criminal business of such counties and imposing upon the prosecutors of the pleas thereof much additional labor; therefore, Preamble.

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

1. Whenever the population of any county bordering on the Atlantic ocean in this State, as ascertained by any State or Federal census, is more than seventy-five Salary of prosecutors in counties bordering on ocean.

thousand, the prosecutor of the pleas of such county shall receive an annual salary of seven thousand dollars; such salary shall be payable in monthly installments in lieu of all fees and allowances, which fees shall be paid into the county treasury.

Repealer.

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

Approved March 22, 1921.

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CHAPTER 79.

An Act to amend an act entitled "An act concerning marriages (Revision of 1912)," approved March twenty-seventh, one thousand nine hundred and twelve.

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

Section 3  
amended.

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

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

Proviso.

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 nonresident 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, 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 nonresidents 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 infected with gonorrhoea, syphilis or chancroid in a communicable stage or 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.

Where and  
by whom  
license  
issued.

If parties  
non-resident.

Proviso: cer-  
tain persons  
not to be  
licensed.

2. This act shall take effect immediately.

Approved March 22, 1921.

## CHAPTER 80.

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 violations 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:*

Clerk of court  
to report  
certain con-  
victions to  
Commissioner  
of Motor  
Vehicles.

1. The clerk of every court wherein any person or persons now or hereafter licensed to operate a motor vehicle in this State or any other State shall be convicted of stealing produce from any farm or farms in this State shall make a report in writing to the Commissioner of Motor Vehicles of all such cases heard before such court within three days after such conviction, upon blanks provided by the said Commissioner of Motor Vehicles for this purpose, and such report shall state the name and address of the person convicted, the date thereof, the sentence imposed by the court and any recommendations which the court may deem of value to the said commissioner in determining whether action be taken against the license of such person or persons.

2. This act shall take effect immediately.

Approved March 22, 1921.

## CHAPTER 81.

A Supplement to an act entitled "An act to enable cities which have no hospitals maintained by the city to enter into contracts for the purpose of supporting, maintaining and caring for indigent patients in any regularly incorporated hospital located in such city," approved March thirtieth, one thousand nine hundred and four.

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

1. It shall be lawful for every city in this State which has heretofore adopted the provisions of an act entitled "An act to enable cities which have no hospitals maintained by the city to enter into contracts for the purpose of supporting, maintaining and caring for indigent patients in any regularly incorporated hospital located in such city" (approved March thirtieth, one thousand nine hundred and four), and which has made and entered into such contract or contracts, to pay to such hospital or hospitals during the remainder of the term of any such contract or contracts and all renewals thereof a sum equal to two-thirds of a mill on every dollar of assessable property returned by the assessor of said city for the purpose of supporting, maintaining and caring for such indigent patients as may be sent to such hospital by order of any city physician, overseer of the poor or other proper authority of such city and to annually appropriate and raise by tax in the same manner as other city taxes are assessed, levied and collected in said city during the existence of such contract or contracts or renewals thereof a sum equal to two-thirds of a mill on every dollar of assessable property returned by the assessor of said city for the purpose of taxation in such city.

Approved March 22, 1921.

Care of poor  
in hospitals  
by cities hav-  
ing none.

Amount  
to be paid.

Raised by  
taxation.

**New Jersey State Library**

## CHAPTER 82.

An Act to supplement an act entitled "Supplement to an act entitled 'An act concerning municipalities,' " approved March twenty-seventh, one thousand nine-hundred and seventeen and which supplement was approved April twentieth, one thousand nine hundred and twenty.

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

Additional sections.

1. Chapter 154 of the Laws of 1917 as supplemented by chapter 240 of the Laws of 1920 is hereby supplemented by adding after section one of such supplement four new sections to be known respectively as sections one a, one b, one c and one d to read as follows :

Municipalities divided into building districts.

1a. The governing body of each and every municipality in this State shall have power by ordinance to regulate and limit the height and bulk of buildings hereafter erected and to regulate and determine the area of yards, courts and other open spaces, and for said purposes to divide the municipality into districts. Such regulations shall be uniform for each class of buildings throughout any district, but the regulations in one or more districts may differ from those in other districts. Such regulations shall be designed to secure safety from fire and other dangers and to promote the public health and welfare, including, so far as conditions may permit, provision for adequate light, air and convenience of access, and shall be made with reasonable regard to the character of buildings erected in each district, the value of land and the use to which it may be put, to the end that such regulations may promote public health, safety and welfare and the most desirable use for which the land of each district may be adapted and may tend to conserve the value of buildings and enhance the value of land throughout the municipality.

Regulations.

ib. Said governing body may from time to time, after public notice and hearing, amend, supplement or change said regulations or districts. In case a protest against a proposed amendment, supplement or change be presented, duly signed and acknowledged by the owners of twenty per centum or more of the frontage of the property proposed to be altered, or by the owners of twenty per centum of the frontage upon the street immediately in the rear thereof, or by the owners of twenty per centum of the frontage directly opposite the property proposed to be altered, such amendment shall not be passed except by a three-quarters vote of the governing body.

Change of regulations.

In case of protest.

ic. Said governing body may in any ordinance adopted pursuant to this act and the act to which this act is a supplement, provide for the appointment by the mayor of a board of appeals consisting of five members. Of the original appointees to such board, one member shall be appointed for a term of one year, two members for a term of two years, and two members for a term of three years. The successors of the original appointees shall be appointed for a term of three years. All appointments to fill vacancies shall be for the unexpired term.

Board of appeals.

Terms.

The jurisdiction of the board shall be defined in such ordinance. But in no case shall the authority vested in such board extend beyond varying or modifying the provisions of said ordinance where the enforcement of its strict letter would work unnecessary hardship or injustice to property owners. Such board of appeals shall hear and decide all matters referred to them or upon which they are required to pass under any ordinance adopted pursuant to this act and the act to which this act is a supplement. The concurring vote of four members of the board shall be necessary to decide in favor of the applicant any matter upon which the board is required to pass under the ordinance providing for the appointment of such board.

Jurisdiction.

Hearings.

Decision.

id. The board or body having charge of the finances of each any every municipality is hereby authorized and empowered to appropriate an amount necessary to undertake and complete the regulations contemplated by this act. The moneys for said work shall be raised by an-

Appropriation.

Raised by taxation.

- nual tax upon real and personal property as other taxes are raised in and for such municipality; *provided, however*, that for the fiscal year in which operation under this act is commenced by such municipality, such moneys may be raised by said board or body having charge of the finances of such municipality, by appropriating for that purpose any moneys in the treasury of such municipality not otherwise appropriated, or by issuing and selling temporary loan bonds or certificates of indebtedness; *provided*, that the payment of such bonds or certificates, with interest, shall be provided for in the next tax levy.
- Proviso.**
- Proviso.**
- Repealer.** 2. All acts or parts of acts inconsistent with this act are hereby repealed.  
3. This act shall take effect immediately.  
Approved March 22, 1921.

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CHAPTER 83.

A Supplement to an act entitled "An act to establish a Department of Agriculture, and to prescribe its powers and duties," approved March twenty-ninth, nineteen hundred and sixteen, and amendments thereof and supplements thereto.

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

- Authority granted:** 1. In order to promote more economical methods of marketing and distributing farm products, the State Department of Agriculture, acting through the Bureau of Lands, Crops and Markets, or otherwise, as provided for in the act to which this act is a supplement, is hereby vested with authority:
- Furnish information;** (a) To collect and diffuse timely information relative to the seasonal supply, demand and prevailing prices of farm products, both at wholesale and retail, the movement of farm products through commercial channels, and in co-operation with the State Department of

Health, the quantities and conditions of farm products in common and cold storage.

(b) To assist and advise in the organization and maintenance of public markets, both for wholesale and retail selling, and to enter into agreements with municipalities for supplying daily or seasonal production and marketing information and requiring from them reports on the public market activities.

Markets;

(c) To assist and advise in the organization and maintenance of producers' and consumers' co-operative selling and buying associations.

Co-operation;

(d) To investigate the cost of distributing farm products, both in a wholesale way and at retail, and to publish such finding as may be of practical interest to the public.

Investigate costs;

(e) To furnish advice and assistance to the public with reference to buying of farm products and other matters relative thereto.

Buying;

(f) To investigate delays, embargoes and other conditions, charges, rates and practices in the handling, transportation, storage, buying and selling of farm supplies and farm products, which appear to retard the free and efficient movement of such supplies and products from the point of production, storage, manufacture, packing and repacking, to the ultimate consumer.

Delays, transportation, storage, etc.;

(g) To take such lawful measures as may be deemed advisable to prevent waste or uneconomical use of farm products.

Economies.

2. The State Department of Agriculture, acting through the Bureau of Lands, Crops and Markets may, from time to time, establish and promulgate standards that may be used by producers and distributors under the provisions of this act for the grading and other classification of farm products, and in co-operation with the Department of Weights and Measures establish and promulgate standards for receptacles for farm products.

Standards for farm products.

3. Whenever any standard for the grading or other classification of farm products becomes effective under this act, no person thereafter shall mark or label any product or package containing it in such a way as to indicate or to make it appear upon ordinary observation that the product conforms to the standard, unless, in

As to markings.

fact, such product actually does conform to the standard for grading or classifying such product.

**Enforcement.** The Secretary of Agriculture is authorized at any time to cause such investigations, classifications and tests to be made as he may deem necessary to enforce the provision of this section.

**Investigations.** 4. The secretary may designate any competent employee or agent of the Bureau of Lands, Crops and Markets to make, upon request, investigations, inspections and classifications of farm products in accordance with standards which have become effective under this act. When any such investigations, inspection or classification is made, the employee or agent shall issue a certificate of the grade or other classification of the farm product involved.

**Fees for services.** The Secretary of Agriculture is authorized to fix, assess and collect, or cause to be collected, fees for such services, when they are performed by employees or agents of the Bureau of Lands, Crops and Markets.

**Appeals.** 5. Any interested party, within a reasonable time, to be prescribed in the regulations made under this act, may appeal to the Secretary of Agriculture from the grading or classification of any farm product authorized under this act, and the Secretary of Agriculture shall thereupon cause such investigation to be made, and such tests to be applied, as he may deem necessary to determine the true grade or classification thereof.

**Fee for appeal.** Whenever an appeal shall be taken to the Secretary of Agriculture under this act, he shall charge and assess and collect, or cause to be collected, a reasonable fee, to be fixed by him, which shall be refunded if the appeal is sustained.

**Certificate in evidence.** 6. A certificate, when not superseded by a finding of the grade or other classification of any farm products, issued under this act, shall be accepted in any court of this State as prima facie evidence of the true grade or other classification of such farm product at the time of its classification.

**Fees paid into State treasury.** 7. All fees and other moneys collected under this act by the Secretary of Agriculture, and by his employees or agents in their official capacity, shall be paid into the State treasury, which fees shall be appropriated for use

of the department in carrying out the provisions of this act when authorized by any appropriations act.

8. It shall be the duty of any person in this State engaged in marketing farm products to prepare and submit to the State Department of Agriculture, upon request, at such regular intervals and in such form as may be prescribed, reports of the quantity and conditions of any farm product held by, or for, such person in commercial or other storage in this State. Any person in this State shall furnish the department, upon request, on such date or dates, and in such form as may be prescribed, special reports, orally or in writing, concerning the demand for, and the supply, consumption, cost, value, price and condition and period of the holding of any farm product, which is, or has been held by, or for, such person in storage or otherwise. The Secretary of Agriculture is authorized to verify the accuracy of the reports provided for in this section. When making public any information received in the reports provided for in this section, the Secretary of Agriculture, his employees or agents, shall not divulge the name of the person owning or reporting upon a farm product without the consent of such person, or except pursuant to legal processes.

Reports  
required.

Verification  
of report.

Name of  
informant  
not divulged.

9. In carrying out the provisions of this act, the Secretary of Agriculture, his employees or agents are authorized to enter, on any business day during the usual hours of business, any storehouse, warehouse, cold storage plant, packing house, stock yard, railroad yard, railroad car, or any other building or place where farm products are kept stored by any person engaged in storing, handling or marketing.

Right of entry.

10. In carrying out the provisions of this act, the Secretary of Agriculture, or his employees designated by him for the purpose, may require the attendance before him, or any of them, of any person from whom reports have been requested, or of any employee of such person, may administer oaths to, and take testimony of, any such person, or his employee, and may require the production by such person, or his employee, of any books, records and other documental evidence relating

Witnesses,  
oath, records,  
etc.

to the farm products about which reports have been requested.

Violation  
a misde-  
meanor.

11. Any person who violates any provision of this act, or the regulations made under this act for carrying out said provision, or who fails or refuses to comply with, or with intent to deceive, answers or reports falsely in response to any requirements of this act, or who willfully interferes with the Secretary of Agriculture, his employees or agents, in the carrying out of his duties prescribed in this act shall be guilty of a misdemeanor.

Regulations.

12. The Secretary of Agriculture is authorized to make and promulgate such regulations as may be necessary to carry out the provisions of this act.

Penalty.

13. Any person convicted of a misdemeanor under this act shall be punished by a fine of not exceeding one hundred dollars, or by imprisonment in the county jail for a term not exceeding one year, or both, at the discretion of the court. Any violations of the provisions of this act relating to standard receptacles, which may be established as herein provided for, shall be prosecuted in the appropriate courts of the commonwealth by superintendents of weights and measures of the respective cities and counties, and the Superintendent of the State Department of Weights and Measures.

"Person."

14. The term "person" as used in this act includes individuals, partnerships, associations and corporations.

"Farm prod-  
uct."

"Farm product" means any agricultural or horticultural product, any fresh or salt water food product, or any product designed for food purposes, manufactured or prepared principally from any agricultural or horticultural product or products.

"Marketing."

"Marketing" includes preparing for market, transporting, storing, consigning, buying for purposes of manufacture, or sale, offering for sale, selling, soliciting consignments or receiving consignments.

Repealer;  
constitution-  
ality.

15. All acts or parts of acts inconsistent herewith are repealed. If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder

thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversies in which such judgment shall have been rendered.

16. This act shall take effect immediately.

Approved March 21, 1921.

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#### CHAPTER 84.

An Act relative to police magistrates in cities of the second class.

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

1. When any police magistrate of any city of the second class in this State, whether such magistrate is designated by charter or statute as city judge or otherwise, shall be temporarily absent from his court by reason of inability from any cause to act therein, the governing body of such city may designate and appoint an attorney-at-law resident in the county wherein such court may be located to act in his stead during such temporary absence or inability, and such attorney-at-law while so acting shall have, hold, exercise, use or perform any power, privilege, duty, authority or jurisdiction which is or shall be given to such police magistrate.

Temporary  
police  
magistrate.

2. This act shall take effect immediately.

Approved March 24, 1921.

## CHAPTER 85.

An Act to amend an act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven, as amended by chapter 93, Laws of 1919.

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

Section 12  
amended.

Basis of  
compensation  
in case of  
death.

1. Paragraph twelve of the act referred to in the title of this act is hereby amended to read as follows:

12. In case of death, compensation shall be computed but not distributed, on the following basis:

(a) For one dependent, thirty-five per centum of wages.

(b) For two dependents, forty per centum of wages.

(c) For three dependents, forty-five per centum of wages.

(d) For four dependents, fifty per centum of wages.

(e) For five dependents, fifty-five per centum of wages.

(f) For six or more dependents, sixty per centum of wages.

"Dependents."

(g) The term "dependents" shall apply to and include any or all of the following who are dependent upon the deceased at the time of accident or death, namely: husband, wife, parents, stepparents, grandparents, children, stepchildren, grandchildren, child in esse, posthumous child, illegitimate children, brothers, sisters, half-brothers, half-sisters, niece, nephew. Legally adopted children shall, in every particular, be considered as natural children; *provided, however*, that

Adopted  
children.

Proviso.

dependency shall be conclusively presumed as to (a) the

decident's widow and natural children under eighteen years of age who were actually a part of the decident's household at the time of his death. Every provision of this act applying to one class shall be equally applicable to the other. Should any dependent of a deceased employee die during the period covered by such weekly payments, or should the widow of a deceased employee remarry during such period, the right of such dependent or of such widow to compensation under this section shall cease. *It is further provided*, that the foregoing schedule applies only to persons wholly dependent, and that in the case of persons only partially dependent, except in the case of the widow and children, who were actually a part of decident's household at the time of his death, the compensation shall be such proportion of the scheduled percentage as the amounts actually contributed to them by the deceased for their support constituted of his total wages, and the provision as to a six-dollar minimum shall not apply to such compensation.

When compensation ceases.

Proviso.

In determining the number of dependents, where the deceased employee was a minor, the number of persons dependent upon said deceased employee shall be determined in the same way as if said deceased employee were an adult, notwithstanding any rule of law as to the person entitled to a minor's wages.

Dependents of minors.

(h) Compensation shall be computed upon the foregoing basis. Distribution shall be made among dependents, if more than one, according to the order of the Workmen's Compensation Bureau, which shall, when applied to for that purpose, determine, upon the facts being presented to it, the proportion to be paid to or on behalf of each dependent according to the relative dependency. Payment on behalf of infants shall be made to the surviving parent, if any, or to the statutory or testamentary guardian.

Distribution.

(i) If death results from the accident, whether there be dependents or not, expenses of last sickness, not exceeding two hundred dollars. Also the cost of burial, not to exceed one hundred dollars.

Sickness and burial expenses.

(j) In computing compensation to those named in this paragraph, except in the case of husband, wife,

Under 18, over 40 years.

Proviso.	parents and stepparents, only those under eighteen, or over forty years of age, shall be included, and then only for that period in which they are under eighteen or over forty; <i>provided, however</i> , that payments to such physically or mentally deficient persons as are, for such reason, dependent, shall be made during the full term of compensation payment.
Weekly compensation.	(k) The compensation in case of death shall be subject to a maximum compensation of twelve dollars per week and a minimum of six dollars per week; <i>provided</i> , that if at the time of the injury, the employee receives wages of less than six dollars per week, then the compensation shall be the full amount of such wages per week. This compensation shall be paid during three hundred weeks.
Proviso.	
Duration.	
Repealer.	2. All acts and parts of acts inconsistent herewith are hereby repealed.
Act effective.	This act shall take effect July first, nineteen hundred and twenty-one.
	Approved March 24, 1921.

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CHAPTER 86.

An Act to amend 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.

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 is hereby amended so as to read as follows:
Who have jurisdiction.	2. Justices of the peace, District Courts, recorders, and police magistrates shall have jurisdiction to try

and punish any person or persons, corporation or corporations, accused of violating any of the laws specified in the first section of this act, or any of the provisions thereof, and every penalty prescribed for such violation may be enforced and recovered before any justice of the peace, District Court, recorder, or police magistrate, either in the county where the offense is committed or where the offender is first apprehended or where he may reside, and nothing contained in any law heretofore passed shall be construed to prohibit justices of the peace residing within the limits of any city where a District Court is or may be established from exercising jurisdiction under this act.

Where.

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

Section 3 amended.

3. Such justice of the peace, District Court, recorder or police magistrate, upon receiving complaint in writing, duly verified, of the violation of any law specified in the first section of this act, or of any of the provisions thereof, is hereby authorized and required to issue a warrant, directed to any constable, police officer, fish and game warden, fish and game protector, or deputy fish and game warden of this State, commanding him to cause the person or persons so complained of to be arrested and brought before such justice, District Court, recorder or police magistrate, and shall thereupon, in a summary way, hear and determine the guilt or innocence of such person or persons, and, upon conviction, shall impose upon the person or persons so convicted the penalty or penalties prescribed, together with the cost of prosecution, for such offense, and if any person or persons shall fail to pay the penalty or penalties so imposed, together with the costs of prosecution, the said justice, District Court, recorder or police magistrate shall commit him or them to the common jail of the county where such conviction is had, for a period not exceeding ninety days, or until said penalty and costs are paid.

Making complaints.

Warrant.

Hearing.

Penalty imposed.

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

Section 4 amended.

In case of  
corporations.

4. Such justice of the peace, District Court, recorder or police magistrate, upon receiving complaint in writing, duly verified, of the violation of any law specified in the first section of this act, or any of the provisions thereof, by any corporation or corporations, is hereby authorized and required to issue a summons directed to any constable, police officer, fish and game warden, fish and game protector, or deputy fish and game warden of this State, requiring such corporation or corporations to be and appear before such justice of the peace, District Court, recorder or police magistrate on the day therein named, to answer the said complaint, which said summons shall be served on the president, vice-president, secretary, superintendent or manager of such corporation at least five days before the time of appearance mentioned therein, and thereafter all proceedings shall be the same as in cases against individuals, except where a different procedure is provided by this act.

Summons,  
on whom  
served.

Section 5  
amended.

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

Violation in  
view of  
officer.

5. For the violation of any law specified in the first section of this act, or any of the provisions thereof, done within the view of any constable, police officer, fish and game warden, fish and game protector, deputy fish and game warden, or any officer or member of any incorporated game protective society, such officer is hereby authorized, without warrant, to arrest the offender or offenders and to carry him or them before a justice of the peace, District Court, recorder or police magistrate of the county wherein such arrest is made, and the justice, District Court, recorder or police magistrate before whom such offender or offenders shall be taken is hereby authorized and required to hear and determine in a summary way the guilt or innocence of such person or persons, after receiving from the said officer a complaint in writing, duly verified, setting forth the nature of the offense for which the said person or persons was or were arrested.

Offender  
arrested with-  
out warrant.

Hearing.

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

Section 7  
amended.

7. Any hearing to be held pursuant to this act may, for good cause shown, be adjourned for a period not exceeding thirty days from the return of any warrant or the time of appearance mentioned in any summons, or from the date of any arrest without warrant, as the case may be; but in such case it shall be the duty of the justice, District Court, recorder or police magistrate to detain the defendant or defendants in safe custody unless he or they shall enter into bond to the person making the complaint with at least one surety in double the amount of the penalty to be recovered, conditioned for his or their appearance on the day to which the hearing shall be adjourned, and thence from day to day until the case is disposed of, and then to abide by the judgment of the justice, District Court, recorder or police magistrate, provided no appeal therefrom be taken, and such bond, if forfeited, may be prosecuted by the person to whom it is given in any court of competent jurisdiction.

Adjournment  
of hearing.

Bond and  
surety.

Forfeiture  
of bond.

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

Section 9  
amended.

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

Appeal may  
be taken.

Proviso.

Bond.

Section 10  
amended.

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

Action in  
case of ap-  
peal.

10. Whenever an appeal shall be taken as aforesaid, it shall be the duty of the justice of the peace, District Court, recorder or police magistrate to send all papers, together with a transcript of the proceedings in the case, to the next term of the Court of Common Pleas of the said county, which court shall hear and determine such appeal in the same way and manner as said case was heard and determined by such justice of the peace, District Court, recorder or police magistrate.

Section 13  
amended.

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

Forfeiture  
of apparatus.

13. If any person or persons, corporation or corporations, shall be found making use of any boat or boats, vessel or vessels, or any seine, gill, drift, anchor or sink-nets, fixed nets, trap, pot, pound, set-line, fyke, weir or other apparatus for the unlawful taking of fish in any waters within the jurisdiction of this State in violation of any of the laws specified in the first section of this act, he, she or they shall, in addition to the penalties prescribed, forfeit the boat or boats, vessel or vessels, seine or seines, net or nets, gill or gills, drift or drifts, draw-net or nets, fyke or fykes, trap or traps, pot or pots, pound or pounds, weir or weirs, set-line or lines, or other apparatus so unlawfully used; and it shall be the duty of all constables, sheriffs, fish and game wardens, and the fish and game protector, and it shall be lawful for any other person or persons, to seize and secure any of the aforesaid apparatus and immediately thereafter give notice to some justice of the peace, District Court, recorder or police magistrate of the county wherein said seizure shall be made; and said justice of the peace, District Court, recorder or police magistrate is hereby authorized and required, at such time and place as shall be appointed, to hear and determine in a summary way whether the same was unlawfully used, and if it shall appear that the same was unlawfully used, to make an order directing the confiscation and forfeiture of the same to the use

Seizure.

Hearing.

Disposal  
in case of  
conviction.

of the Game and Fish Commissioners of the State, who may dispose thereof at their discretion.

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

Section 17  
amended.

17. In all cases where a person shall be convicted a second time, double the penalty prescribed shall be imposed upon such second conviction, and it is hereby made the duty of every person making the complaint pursuant to the provisions of this act, who has reason to believe that the accused has been previously convicted, to lay such information before the justice of the peace, District Court, recorder, or police magistrate, and produce such proof of the same as shall be admissible.

In case of  
second con-  
viction.

10. This act shall take effect immediately.

Approved March 24, 1921.

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#### CHAPTER 87.

An Act requiring the approval of plans and specifications by the Department of Health of the State of New Jersey for changes and improvements made at water purification plants, sewerage systems, and sewage treatment plants.

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

1. Every person, association, company, or corporation, municipal or private, desiring to make changes or improvements to any water purification or treatment plant, or any sewer system, or extension or alteration to any sewage purification or treatment plant, or any plant for the purification or treatment of industrial wastes, shall submit detailed plans and specifications for such improvements, changes, extensions, or alterations to the Department of Health of the State of New

Approval of  
proposed  
changes in  
water and  
sewerage  
systems.

Proviso. Jersey, which plans must first be approved before any work upon the construction of such improvements, changes, extensions, or alterations, are begun; *provided*, that the provisions of this section shall not be deemed to apply to changes or improvements to any sewer system, or extension or alteration to any sewage purification or treatment plant, or any plant for the purification or treatment of industrial wastes, located within the territory over which the Passaic Valley Sewerage Commissioners now have jurisdiction as set out by statute.

Injunction in case of violation. 2. If any person, association, company, or corporation, municipal or private, shall begin construction work on such improvements before the detailed plans and specifications for the same have been submitted to and approved by the Department of Health of the State of New Jersey, it shall be lawful for the said department to file a bill in the Court of Chancery in the name of the State on the relation of such department for an injunction to prohibit the violation of this act, and every such action shall proceed in the Court of Chancery according to the rules and practice of bills filed in the name of the Attorney-General on the relation of individuals, and cases of emergency shall have precedence over other litigation pending at the time in the Court of Chancery, and may be heard on final hearing within such time and on such notice as the Chancellor shall direct.

Precedence.

3. This act shall take effect immediately.  
Approved March 24, 1921.

## CHAPTER 88.

An Act entitled "An act to amend an act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon" (Revision of 1918).

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

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

24. At the time and place specified in the notice of sale, or adjournment, said officer shall sell at public auction each parcel of real property which has been so advertised, upon which the municipal liens remain unpaid, unless some error is found requiring re-advertisement. Such sale shall be made for the amount for which said parcel was advertised, unless such amount is found to be in excess of the correct amount, and then for the correct amount together with the interest thereon from the first day of July, and the costs of sale. Such sale shall be made in fee to such person as will purchase the same, subject to redemption at the lowest rate of interest, but in no case in excess of eight per centum per annum; *provided*, that if any person at such sale shall offer to purchase subject to redemption at a rate of interest less than one per centum, then such person may, in lieu of any rate of interest to redeem, offer a premium over and above the amount of taxes, assessments or other charges, as in this act specified, due the municipality, and in such case, the property shall be struck off and sold to the bidder who offers to pay the amount of such taxes, assessments or charges, plus the highest amount of premium. The payment for the sale shall be made before the conclusion of the sale, or the property shall be resold; any previous payment shall be held by the

Section 24 amended.

Auction sale.

Amount.

Sale subject to redemption.

Proviso.

Payment at time of sale.

After five  
years escheat  
to municipi-  
pality.

collector and returned to the purchaser of the fee when redemption is made by the owner. In event that the owner does not redeem the fee within five years from date of sale such premium payment shall be turned over to the treasurer of the municipality and escheat to the municipality and become a part of the funds of such municipality.

2. This act shall take effect immediately.

Approved March 24, 1921.

### CHAPTER 89.

A Supplement to an act entitled "An act concerning marriage," approved March twenty-seventh, one thousand nine hundred and twelve.

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

Fee for  
certified  
copy.

Certificate  
as evidence.

Fees for  
searches.

Account of  
receipts.

Proviso.

1. The State Registrar shall, upon request, supply to any applicant a certified copy of the record of any marriage registered under the provisions of this act, for the making and certification of which he shall be entitled to a fee of one dollar, to be paid by the applicant. And any such copy of the record of a marriage, when properly certified by the State Registrar, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the State Registrar shall be entitled to a fee of fifty cents, but not less than ten cents for each year searched, said fee to be paid by the applicant. And the State Registrar shall keep a true and correct account of all fees by him received under these provisions, and turn the same over to the State Treasurer; *provided*, that the State Registrar shall, upon request supply without fee a certificate of marriage, limited to a statement as to the names of the contracting parties, the place and date of the event, and the name

of the person performing the ceremony, in all claims for pension.

2. This act shall take effect immediately.

Approved March 24, 1921.

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CHAPTER 90.

An Act to amend an act entitled "An act concerning marriages (Revision of 1912)," approved March twenty-seventh, one thousand nine hundred and twelve.

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

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

Section 14 amended.

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 the 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, registrar

Licenses sent monthly to Bureau of Vital Statistics.

Fee for  
transmittal.

or clerk shall be an officer the sum of twenty-five cents for each marriage certificate so transmitted, the receipt for which shall be attached to the said certificate of the said medical superintendent, and no payment shall be made unless such certificate be produced, and no credit shall be given or certificate issued by the said medical superintendent to any such assessor, registrar or clerk for any certificate of marriage which is mailed or otherwise transmitted later than ten days after the end of the calendar month in which the marriage occurred; *provided*, that in any city the board or body having the appointment of registrars or persons acting as such may, in lieu of fees, provide that officers performing the above service shall receive therefor a stated or fixed compensation, to be determined by such board or body.

Proviso.

Penalty for  
failure to  
transmit.

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.

2. This act shall take effect immediately.

Approved March 24, 1921.

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#### CHAPTER 91.

An Act to amend an act entitled "An act to prevent misrepresentation in the sale or exposure for sale of any commodity and providing penalties for violations," approved April fifteenth, one thousand nine hundred and nineteen.

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

2. Any person, firm, corporation or association that sells or exposes for sale less than the quantity represented of any commodity, as defined in this act, shall, for the first offense, be liable to a penalty of not less than twenty-five dollars nor more than fifty dollars, and for a second offense be liable to a penalty of not less than fifty dollars nor more than one hundred dollars, and for each subsequent offense shall be liable to a penalty of not less than one hundred dollars nor more than two hundred dollars. An action for the recovery of a penalty for violation of the provisions of this act shall be in the nature of an action in debt, and may be brought in the District Court of any city, or judicial district in the small cause court of any county, and before the police magistrate and recorder of any city, town, township, borough or village, and jurisdiction is hereby conferred upon the District Court, the small cause court, the police court and recorder's court of any city, town, township, borough or village to hear and determine actions brought as aforesaid.

Penalty for  
selling under-  
weight.

Recovery  
of penalty.

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

Section 3  
amended.

3. County superintendents and assistant county superintendents of weights and measures, municipal and assistant municipal superintendents of weights and measures, are authorized to bring proceedings within their respective jurisdictions, in their official capacities, for the use of the county or municipality which they represent. Penalties, when recovered in the name of a county or assistant county superintendent of weights and measures, shall be payable to the county collector of such county, and when recovered by a municipal or assistant municipal superintendent of weights and measures shall be payable to the municipality which such official represents.

Bringing  
proceedings.

Disposition  
of penalties  
recovered.

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

Section 4  
amended.

4. Actions instituted for the recovery of penalties, under the provisions of this act, shall be given prece-

Actions to  
have prece-  
dence.

dence over cases set for hearing on the day when actions under this act are to be tried.

4. This act shall take effect immediately.

Approved March 24, 1921.

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CHAPTER 92.

An Act to amend an act entitled "An act regulating the sale of ice and providing for the weighing thereof," approved April fifteenth, one thousand nine hundred and nineteen.

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 the same shall read as follows:

Recovery  
of penalties.

4. An action for the recovery of a penalty for violation of the provisions of this act shall be in the nature of an action in debt, and may be brought in the District Court of any city, or judicial district, in the small cause court of any county, and before the police magistrate and recorder of any city, town, township, borough or village, and jurisdiction is hereby conferred upon the District Court, the small cause court, the police court and recorder's court of any city, town, township, borough or village to hear and determine actions brought as aforesaid. County superintendents and assistant county superintendents of weights and measures, municipal and assistant municipal superintendents of weights and measures, are authorized to bring proceedings within their respective jurisdictions, in their official capacities, for the use of the county or municipality which they represent. Penalties, when recovered in the name of a county or assistant county superintendent of weights and measures, shall be payable to the county collector of such county, and when re-

Authority to  
bring pro-  
ceedings.

covered by a municipal or assistant municipal superintendent of weights and measures shall be payable to the municipality which such official represents.

2. This act shall take effect immediately.

Approved March 24, 1921.

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CHAPTER 93.

An Act to amend an act entitled "An act to provide for the marking and stamping of crates, baskets and carriers in which fruits and vegetables to be sold, or offered or exposed for sale, are packed, and to provide a penalty for the violation thereof," approved April twentieth, one thousand nine hundred and twenty.

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

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

3. Any person, firm or corporation violating any of the provisions of this act shall for the first offense be liable to a penalty of not less than twenty-five dollars and not more than fifty dollars, and for the second offense shall be liable to a penalty of not less than fifty dollars and not more than one hundred dollars, and for each subsequent offense shall be liable to a penalty of not less than one hundred dollars and not more than two hundred dollars. Penalties.

An action for the recovery of a penalty for violation of the provisions of this act shall be in the nature of an action in debt, and may be brought in the District Court of any city, or judicial district in the small cause court of any county, and before the police magistrate and recorder of any city, town, township, borough or village, and jurisdiction is hereby conferred Recovery of penalties.

upon the District Court, the small cause court, the police court and the recorder's court of any city, town, township, borough or village to hear and determine actions brought as aforesaid.

Authority to  
bring pro-  
ceedings.

Disposition  
of penalties.

County superintendents and assistant county superintendents of weights and measures, municipal and assistant municipal superintendents of weights and measures, are authorized to bring proceedings within their respective jurisdictions, in their official capacities, for the use of the county or municipality which they represent. Penalties, when recovered in the name of a county or assistant county superintendent of weights and measures, shall be payable to the county collector of such county, and when recovered by a municipal or assistant municipal superintendent of weights and measures shall be payable to the municipality which such official represents.

2. This act shall take effect immediately.

Approved March 24, 1921.

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#### CHAPTER 94.

An Act to amend 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:*

Section 1  
amended.

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

Clerical  
assistants.

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 of this State, in such amounts as fixed and determined upon by said State Superintendent, in accordance with the schedules provided by the Civil Service Commission.

2. This act shall take effect immediately.

Approved March 24, 1921.

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CHAPTER 95.

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

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

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

Section 2  
amended.

2. Any person, firm, copartnership or corporation violating any of the provisions of this act shall, for the first offense, be liable to a penalty of not less than twenty-five dollars nor more than fifty dollars; and for the second offense shall be liable to a penalty of not less than fifty dollars and not more than one hundred dollars; and for each subsequent offense shall be liable to a penalty of not less than one hundred dollars nor more than two hundred dollars. An action for the recovery of a penalty for violation of the provisions of this act shall be in the nature of an action in debt, and may be brought in the District Court of any city, or judicial district in the small cause court of any county, and before the police magistrate and recorder of any city, town, town-

Penalties for  
violations.

Recovery of  
penalties.

Authority to  
bring pro-  
ceedings.

Disposition  
of penalties  
recovered.

ship, borough or village, and jurisdiction is hereby conferred upon the District Court, the small cause court, the police court and the recorder's court of any city, town, township, borough or village to hear and determine actions brought as aforesaid. County superintendents and assistant county superintendents of weights and measures, municipal and assistant municipal superintendents of weights and measures, are authorized to bring proceedings within their respective jurisdictions, in their official capacities, for the use of the county or municipality which they represent. Penalties, when recovered in the name of a county or assistant county superintendent of weights and measures, shall be payable to the county collector of such county, and when recovered by a municipal or assistant municipal superintendent of weights and measures shall be payable to the municipality which such official represents.

2. This act shall take effect immediately.

Approved March 24, 1921.

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#### CHAPTER 96.

An Act to amend an act entitled "An act relating to vital statistics concerning births and deaths," approved April sixth, one thousand nine hundred and twenty.

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

Section 19  
amended.

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

Particulars  
to be ascer-  
tained and  
filed by  
undertakers.

19. The undertaker shall file the certificate of death with the local registrar of the district in which the death occurred and obtain a burial or removal permit prior to any disposition of the body. He shall obtain the required personal and statistical particulars from

such person or persons residing in the district best qualified to supply them, over the signature and address of his informant or informants; if such signature cannot be obtained the source of information must be stated. He shall then present the certificate to the attending physician, if any, or to the county physician or coroner, as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record as specified in sections fifteen and sixteen. And he shall then state the facts required relative to the date and place of burial or removal, over his signature and with his address and license number, and present the completed certificate to the local registrar in order to obtain a permit for burial, removal or other disposition of the body. The undertaker shall deliver the burial permit to the person in charge of the place of burial, before interring or otherwise disposing of the body; or shall attach the removal permit to the box containing the corpse when shipped by any transportation company; said permit to accompany the corpse to its destination, where, if within the State of New Jersey, it shall be delivered to the person in charge of the place of burial; *provided, however,* that where death occurs in any town or township located in any county of this State, which county has a population of less than one hundred thousand inhabitants, the undertaker may file a certificate of death in exchange for a burial permit with the registrar of vital statistics of the district in which the undertaker resides, or the registrar of vital statistics where the burial is to take place, and such registrar after issuing the burial permit, shall, within twenty-four hours, forward the certificate of death to the registrar of vital statistics of the district where the death took place, with a statement that a burial permit was issued by him. The local registrar issuing a burial permit in accordance with this provision of the law shall be entitled to receive from the undertaker a fee of twenty-five cents for each permit issued.

As to burial.

Permit delivered to burial.

Provisio.

Fee.

2. This act shall take effect immediately.

Approved March 24, 1921.

## CHAPTER 97.

An Act to authorize the retirement on full pay of any member of the police force in any city of the first class in this State.

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

Retirement  
on full pay.

Proviso.

Conditions.

Member of  
pension fund.

In case of  
death.

Proviso.

1. Authority is hereby conferred upon the governing body of any city of the first class in this State to retire upon full pay any member of the police force in such city who may have served as a member of such police force for a period of at least twenty years and attained the age of fifty years; *provided* that such person shall have lost or had amputated either of his hands or feet, or part thereof sufficient to impair the use thereof. Such retirement, however, shall be only upon the consent of the person to be retired and upon the certificate of the surgeon or physician of such police force that the requirement hereof is met.

2. Any member of such police force retired under the provisions of this act shall be entitled to remain and continue as a member of any pension fund now existing or hereafter created in such city, notwithstanding his retirement.

3. Upon the death of any such person so retired no further payments shall be made hereunder. But should said person leave him surviving any widow or children they shall receive any and all benefits arising out of or from any pension fund to which said person may have belonged or have been a member of in his lifetime, *provided* that the obligations of any law creating such fund have been complied with by such person up to the time of his death.

Approved March 30, 1921.

## CHAPTER 98.

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. Hereafter, when in any school district being governed under the provisions of Article VII of the act to which this act is a supplement, there shall be an election to sanction or authorize the board of education of such school district to issue bonds or other evidences of indebtedness under section ninety-seven of the act to which this act is a supplement. Then, in such case, all legal voters residing in the district, both male and female, shall be entitled to vote at such election. The form of ballot and the manner of expressing the voter's vote shall be as follows:

Underneath the text of the proposal and the resolutions required by the act to which this act is a supplement, shall appear a rule extending across the ballot, underneath which shall appear these words: "To vote in favor of the proposal, place a cross (X) or a plus mark (+) in the space opposite the word 'Yes.' To vote against the proposal, place a cross (X) or a plus mark (+) opposite the word 'No.'" Immediately underneath these words shall be a parallelogram, one and a half inches wide by one inch high. This parallelogram shall be divided by a cross and a vertical line, dividing the parallelogram into four equal parts. In the upper right hand part shall be printed the word "Yes" and in the space immediately below the word "No." The voter, in registering his vote or choice, if in favor of the proposal, shall put a cross (X) or a plus mark (+) in the upper left hand space, opposite the word

Election on  
bond issue.

Who may  
vote.

Form of  
ballot.

"Yes." If opposed, the voter shall put a like mark opposite the word "No."

Voting accom-  
modations.

At the entrance to the building or room in which the voting is to be done, ballots shall be distributed as the voters enter the room, and sufficient accommodations shall be provided by the board of education for the voters to mark their ballots without undue publicity, or may furnish booths or curtained-off places, properly lighted, for the convenience of the voters, to the end that the ballot voted by each voter shall not be disclosed.

2. This act shall take effect immediately.

Approved March 24, 1921.

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CHAPTER 99.

An Act to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

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

Section 25  
amended.

1. Section twenty-five of Article XX of chapter 152, P. L. 1917, being an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen, be and the same hereby is amended to read as follows:

Assessments  
for sewers,  
drains, sew-  
age plants.

Section 25. Whenever a main sewer or drain, or a sewerage disposal plant, or an outlet or connecting sewer, either within or without the municipality, or any improvement or addition to a sewerage system has been or shall hereafter be constructed in a municipality, and the benefits thereof shall be extended to land or real estate in the municipality by the subsequent construction of any lateral sewer or sewers, drain or drains, and the municipality has paid or is obligated to pay for such main sewer, or drain, or sewerage disposal plant, or outlet or connecting sewer, or any improvement or addi-

tion to the sewerage system, or any part of the cost thereof, out of general funds, either by reason of such work having been done at the general expense or by reason of the fact that the assessments therefor did not equal the total cost thereof, such lands or real estate to which the benefits thereof shall have been extended may be assessed therefor to an amount not exceeding the amount of the benefits actually received by such lands or real estate, notwithstanding that the municipality shall have paid such indebtedness or part thereof either in whole or in part. Such assessment may be made in connection with and as a part of the assessment for such lateral sewer or drain or as an independent assessment, and shall be made and collected in accordance with the provisions of this act. Such assessments, with interest thereon, as collected from time to time, shall be placed in the surplus revenue account of the municipality and controlled by the provisions of "An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and seventeen, and amendments thereof and supplements thereto.

Disposition  
of collections.

2. This act shall take effect immediately.

Approved March 24, 1921.

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CHAPTER 100.

An Act to abolish the office of State Architect, and the Department of Architecture and transferring the powers and duties of said office and department to the Department of Institutions and Agencies, and to the State Board of Education.

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

1. The office of the State Architect and the Department of Architecture as established by an act entitled "An act to establish in and for the State of New

Office and  
department  
abolished.

As to statute  
and contracts.

Jersey a Department of Architecture, to provide for its maintenance, to define the power and duties of the State Architect," approved March twenty-sixth, one thousand nine hundred and seventeen, is hereby abolished and the term of the office of the present incumbent thereof shall immediately cease and determine. Whenever in any statute or contract applying to the State Board of Education, the Department of Public Instruction or any division thereof, reference is made to the State Architect or to the State Department of Architecture, the reference shall be taken to apply to the State Board of Education or to the Commissioner of Education, as the case may be; and whenever in any other statute or in any other contract reference is made to the State Architect or the State Department of Architecture, the reference shall be taken to apply to the Commissioner of Institutions and Agencies and to the State Board of Control of Institutions and Agencies, as the case may be.

Officers and  
employees  
transferred to  
Board of  
Institutions  
and Agencies.

2. All terms of office of the officers and employees of the State Architect or the State Department of Architecture are hereby abolished and the present occupants thereof and their successors in office and employment shall continue in office and in employment and hold office and employment subject to the power and authority, of the State Board of Control of Institutions and Agencies, the commissioner and the provisions of the Civil Service law.

Repealer.

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

4. This act shall take effect immediately.

Approved March 26, 1921.

## CHAPTER 101.

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 seventeen of the act to which this act is an amendment be and the same is hereby amended to read as follows: Section 17 amended.

17. The board shall have power, after hearing, upon notice, by order in writing, to require every public utility as herein defined: Additional powers:

(a) To comply with the laws of this State and any municipal ordinance relating thereto and to conform to the duties imposed upon it thereby or by the provisions of its own charter, whether obtained under any general or special law of this State. Compel compliance with laws and ordinances;

(b) To furnish safe, adequate and proper service and to keep and maintain its property and equipment in such condition as to enable it to do so. Proper service;

(c) To establish, construct, maintain and operate any reasonable extension of its existing facilities, where, in the judgment of said board such extension is reasonable and practicable and will furnish sufficient business to justify the construction and maintenance of the same, and when the financial condition of the said public utility reasonably warrants the original expenditure required in making and operating such extension. Extensions;

(d) To keep its books, records and accounts so as to afford an intelligent understanding of the conduct of its business and to that end to require every such public utility of the same class to adopt a uniform system of accounting. Such system shall conform, in so far as in the judgment of the board is practicable, to System of accounts;

any system adopted or approved by the inter-state commerce commission of the United States of America.

Annual  
report;

(e) To furnish annually a detailed report of the finances and operations, in such form and containing such matters as the board may from time to time by order prescribe.

Depreciation  
account;

(f) To carry, whenever in the judgment of the board it may reasonably be required, for the protection of stockholders, bondholders or creditors, a proper and adequate depreciation account in accordance with such rules, regulations and forms of account as the board may prescribe. The board shall from time to time ascertain and determine, and by order in writing after hearing fix proper and adequate rates of depreciation of the property of each public utility, in accordance with such regulations or classifications, which rates shall be sufficient to provide the amounts required over and above the expense of maintenance to keep such property in a state of efficiency corresponding to the progress of the industry. Each public utility shall conform its depreciation accounts to the rates so ascertained, determined and fixed, and shall set aside the moneys so provided for out of earnings and carry the same in a depreciation fund. The income from investments of moneys in such fund shall likewise be carried in such fund. This fund shall not be extended otherwise than for depreciation, improvements, new construction, extensions or additions to the property of such public utility.

Fix rates  
of deprecia-  
tion;

Depreciation  
fund;

(g) To give such notice to the board as the board may by rule require of any and all accidents which may occur within this State upon the property of any public utility as herein defined or directly or indirectly arising from or connected with its maintenance or operation, and to investigate any such accident and to make such order or recommendation with respect thereto as in its judgment may be just and reasonable.

Regarding  
accidents;

Increases  
in rates;

(h) When any public utility as herein defined shall increase any existing individual rates, joint rates, tolls, charges or schedules thereof, as well as commutation, mileage and other special rates or change or alter any existing classification, the board shall have power either

upon written complaint or upon its own initiative to hear and determine whether the said increase, change or alteration is just and reasonable. The burden of proof to show that the said increase, change or alteration is just and reasonable shall be upon the public utility making the same. The board shall have power pending such hearing and determination to order the suspension of the said increase, change or alteration until the said board shall have approved said increase, change or alteration, not exceeding three months. If such hearing shall not have been concluded within such three months, the board shall have power during such hearing and determination to order a further suspension of said increase, change or alteration for a further period not exceeding three months. It shall be the duty of the said board to approve any such increase, change or alteration upon being satisfied that the same is just and reasonable.

Burden of proof.

Suspension of increase;

Further suspension;

Approval.

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

Repealer.

3. This act shall take effect immediately.

Approved March 29, 1921.

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CHAPTER 102.

An Act creating a Department of State Police, providing for the appointment of a superintendent thereof, together with the officers and men who shall constitute the force, defining their powers and duties, and making an appropriation for the expenses connected therewith.

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

1. There is hereby created and established a Department of State Police, the executive and administrative head of which shall be a superintendent of State police, who shall be appointed by the Governor, by and with

State police.

Superintendent.

the advice and consent of the Senate, for a term of five years, and receive an annual salary of five thousand dollars, payable monthly, and be removable by the Governor after charges have been preferred and a hearing granted.

Bond re-  
quired.

The superintendent shall, before entering upon the duties of his office, give a bond to the State of New Jersey in the sum of twenty thousand dollars for the faithful performance of his duties.

Headquarters.

The State House Commission shall provide suitable headquarters for the Department of State Police at Trenton.

Deputy;  
clerical  
assistants.

2. The superintendent of State police shall have authority to appoint a deputy superintendent at an annual salary of three thousand five hundred dollars, payable monthly; a clerk at an annual salary of fifteen hundred dollars, payable monthly, and a stenographer at an annual salary of twelve hundred dollars, payable monthly.

Two troops;  
how com-  
posed.

3. The Department of State Police shall consist of two troops, which shall each be composed of the following personnel: One captain, at an annual salary of two thousand four hundred dollars, payable monthly; one lieutenant, at an annual salary of eighteen hundred dollars, payable monthly; one first sergeant, at an annual salary of fifteen hundred dollars, payable monthly; four sergeants, at an annual salary of fourteen hundred dollars, payable monthly; four corporals, at an annual salary of thirteen hundred dollars, payable monthly; one auto mechanic having the rank and salary of corporal; one saddler, having the rank and salary of corporal, and one blacksmith, having the rank and salary of corporal, and forty-four privates, at an annual salary of twelve hundred dollars, payable monthly.

Appointment  
and removal.

All of the officers and troopers of the State police force enumerated in this section shall be appointed or reappointed by the superintendent of State police for a period of two years, and shall be removable by him after charges have been preferred and a hearing granted; *provided*, that no person shall be appointed a member of the State police unless he shall be a citizen of the United States, preferably a resident of the State of New

Proviso.

Jersey, of good health, good moral character, between the ages of twenty-one and forty years; *and provided*, that no one shall be appointed a member of the State police who has not established satisfactory evidence of his qualifications by passing a physical and mental examination based upon the standard provided by the rules and regulations of the United States Army; *and provided*, that voluntary withdrawal from the State police force without the consent of the superintendent of State police shall be a misdemeanor, and that troopers removed from the State police for cause, after a hearing, shall be ineligible for reappointment.

All the troopers constituting the State police as enumerated in this section shall receive an increase of one hundred dollars per year during continuous service after the completion of the first enlistment of two years, and until the fifth year, when the aggregate increase of three hundred dollars per annum shall have been reached.

4. The superintendent and deputy superintendent of the State police, as well as the captain and lieutenant of each troop, in order to be eligible to an appointment as such in said State police, shall be a citizen of the United State and shall have served at least two years as an officer in the army of the United States, and shall have been honorably discharged from such service with a rank not lower than that of a lieutenant.

5. The superintendent of State police shall provide the State police, within the amount of appropriations therefor, with uniforms, emergency and first-aid outfits, weapons, horses, horse equipment, vehicles (whether horse drawn or motor) and all other supplies and equipment necessary to carry out the objects of this act, and all such property shall remain the property of this State; *provided*, he shall have power to sell the same when it shall have become unfit for use, and in which case all moneys received therefor shall be paid into the State treasury. The superintendent of State police shall from time to time establish headquarters and patrol stations in such localities as he shall deem most advisable for the protection of the rural and suburban portions of the State, and for the enforcement of the laws of the State; and to that end he may, with the approval of the Gov-

Proviso.

Proviso.

Increase in pay.

Qualifications for superintendents.

Equipment provided.

Proviso.

Local headquarters.

ernor, acquire the right to use lands and buildings for the accommodations of the members of the State police, their horses and equipment.

Examinations,  
enlistments,  
instruction.

6. It shall be the duty of the superintendent of State police, subject to the laws of this State, and with the approval of the Governor, to arrange for the examination and enlistment of applicants to provide the necessary preliminary and subsequent instruction to the troopers in their duties as police officers of the State, and to make rules and regulations for the discipline and control of the State police.

Detective  
bureau.

7. The superintendent of State police may, with the approval of the Governor, and if, in his opinion, the detective work of the State police so demands, create a State detective bureau, under his immediate supervision, which shall maintain facilities for the detection of crime by the State police, and shall co-operate with and afford central information and finger-prints and other records for the various counties; and to that end the superintendent may, with the approval of the Governor utilize the services of not more than five of the members of the State police force as assistant State detectives; *provided*, that the superintendent shall have first given a special examination to determine the qualification and experience of applicants for detective work.

Proviso.

Duties.

8. It shall be the duty of the members of the State police to be peace officers of the State, and they are authorized and empowered to prevent crime, to pursue and apprehend offenders and to obtain legal evidence necessary to insure the conviction in the courts of such offenders; to execute any lawful warrant or order of arrest issued against any person or persons for any violation of the law, to make arrests without warrant for violations of the law committed in their presence, and for felonies committed the same as are or may be authorized by law for other peace officers; to give first aid to the injured, to succor the helpless, and to have in general the same powers and authority as those conferred by law upon police officers and constables. They shall be subject to the call of the Governor, and are empowered to co-operate with any other department or authority of the State or locality in detecting crime, ap-

Co-operative  
force.

prehending criminals and preserving the law and order throughout the State and to act as wardens in the protection of the forests, the fish and game of the State, and as inspectors of motor vehicles; *provided*, that the State police shall be employed primarily in the furnishing of adequate police protection to the inhabitants of the rural sections of the State; *and provided, further*, that the State police shall not be used as a posse in any municipality, except when ordered by the Governor to do so, upon the request of the governing body thereof.

Proviso.

Proviso.

9. For the purpose of carrying out the provisions of this act, the sum of three hundred thousand dollars or so much thereof as may be necessary is hereby appropriated, but shall become available only whenever the same is included in any annual or supplemental appropriation bill, and all expenses incurred in the operation of this act shall be presented for payment by the superintendent of State police after the same have been duly approved by him, and shall be paid in the same manner as other claims of the State of New Jersey are now paid.

Appropriation.

Payments.

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

Repealer.

Passed March 29, 1921.

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### CHAPTER 103.

An Act concerning intoxicating liquor used or to be used for beverage purposes.

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

1. The short title of this act shall be the "Prohibition Enforcement Act." Title.

2. The word "liquor" and the words "intoxicating liquor" shall each be construed to mean and to include: Definitions of liquor:

(A) Alcohol, brandy, whiskey, rum, gin, beer, ale, porter, wine and any other spirituous, vinous, malt, Alcohol, whiskey, beer, etc.;

- brewed or fermented liquor or mixed liquors, which contain one-half of one per centum or more of alcohol by volume, and which are used or to be used for beverage purposes;
- Mixtures, etc. (B) All liquids, admixtures and compounds, whether medicated, proprietary, patented or not, and by whatever name called, which contain one-half of one per centum, or more, of alcohol by volume, and which are fit for use for beverage purposes.
- Fit for beverage. 3. The words "fit for use for beverage purposes" shall be construed to mean any liquid which is suitable for a drink, or adapted, or intended by the manufacturer thereof or dealer therein to be used as a drink.
- Person. 4. The word "person" shall be construed to mean and include natural male or female persons, both singular and plural, firms, copartnerships, corporations, and all associations of natural persons, and the servants, agents or employees of such natural persons, firms, copartnerships, corporations or associations.
- Private dwelling. 5. The term "private dwelling" shall be construed to mean any building or buildings, or any part thereof, used as a private residence; and any room or rooms in an apartment house, hotel, lodging or boarding house, used as a residence, or as a place of abode.
- Officer. 6. The word "officer" shall be construed to mean any sheriff, deputy sheriff, constable, police officer, or any other person having power under the laws of this State to execute a warrant for arrest.
- Guest. 7. The word "guest" shall be construed to mean a person who receives hospitality for which he is not expected to pay a money or other valuable consideration directly or indirectly, and for which in fact he does not pay such consideration.
- Vehicle. 8. The word "vehicle" shall be construed to mean any wagon, cart, carriage, truck, sled, sledge, sleigh, car, automobile, flying machine, aeroplane, hydroplane, free or dirigible balloon or other air craft, boat or other water craft or any contrivance attached to or upon any beast of burden or draft; and any other device or contrivance capable of being used for the transportation of intoxicating liquor.

9. The word "costs" shall be construed to mean all fees chargeable under this act against a defendant in any proceeding under this act including any expense incurred in the care and safe keeping of any property, *provided* said expense shall be certified by the magistrate as necessary thereto and proper to be included in the costs.

Costs.

Proviso.

10. The word "defendant" shall be construed to mean the person against whom a complaint in writing under oath is made before a magistrate charging a violation of this act.

Defendant.

11. The word "complainant" shall be construed to mean the person who makes a complaint in writing under oath before a magistrate charging a person with violating one or more of the provisions of this act; and such a charge so made is referred to and called in this act the complaint.

Complainant.

12. The word "magistrate" shall be construed to mean the judges of the Court of Common Pleas in and for the several counties of this State, and every judge of the Court of Common Pleas may and shall act throughout the county as the magistrate created by this act; and the justices of the Supreme Court may and shall act as the magistrate in the circumstances hereinafter provided for; and the magistrate shall have power to administer oaths to witnesses and may administer any oath required to be taken in any proceeding under this act, and shall possess all the powers and perform all the duties conferred and imposed upon the magistrate provided for in this act.

Magistrate.

13. Every judge of the Court of Common Pleas, when sitting as a magistrate under this act, may sit in and use the courtroom of the Court of Common Pleas; and such of the court attendants and official interpreters as the magistrate shall deem necessary shall attend at the trial held before the magistrate and perform their usual duties, and the board of chosen freeholders of each county shall supply each magistrate with all necessary stationery, printed forms and record books required by the magistrate.

Court room  
attendants,  
stationery.

14. If a defendant shall request that a complete record of the testimony taken at his trial be made, it shall

Stenographic  
record.

- Stenographer's fees. be the duty of the stenographer usually attending the Court of Common Pleas to attend said trial and make a stenographic record of the testimony taken. For taking such testimony the stenographer shall be entitled to receive a per diem fee of ten dollars for each day he is engaged in taking such testimony, and such fee shall be paid to the stenographer by the county treasurer upon a certificate of the magistrate that the service was performed. For making a transcript of the testimony the stenographer shall be entitled to receive from the person requesting the same the usual fee allowed for such service.
- Transcript included in costs. 15. If the defendant is convicted and has requested that a complete record of the testimony at his trial be made, as aforesaid, the magistrate shall include in the costs against such defendant the fees payable as aforesaid, to such stenographer for the taking of such testimony.
- Forbidden acts. 16. It shall be unlawful to manufacture, sell, barter, transport, import, export, deliver, furnish, store or possess any liquor except as authorized in this act.
- Liquor in private dwelling. Proviso. 17. It shall be unlawful for any person to possess liquor in his private dwelling, *provided*, that this section shall not apply to liquor lawfully acquired and possessed, and used only for the personal consumption of the owner thereof, or of his family residing in said dwelling, and of his guests therein.
- No advertising. 18. It shall be unlawful to advertise or publish anywhere, or by any means or method, the name, description, quality or kind of liquor, or the place where liquor is procurable, or the person selling liquor.
- Card or signs on premises. 19. It shall be unlawful for any person to permit or suffer upon his premises any card, sign or billboard containing any advertisement prohibited in the preceding section.
- Utensils or directions for making. 20. It shall be unlawful to advertise, manufacture, sell or possess, either for use or for sale, any utensil, contrivance, machine, preparation, compound, tablet, substance, or combination of substances or ingredients, or any direction, or recipe, advertised, designed or intended for use in the unlawful manufacture of liquor.

21. It shall be unlawful for any person to solicit, receive or transmit, or knowingly permit any employee or agent to solicit, receive or transmit, from any person, any order for the purchase, sale, shipment or delivery of liquor in violation of this act.

Purchasing  
or ordering  
liquor.

22. It shall be unlawful for any person to keep, carry, convey or transport any liquor on his person or in any vehicle in, into, through or within this State in violation of this act; *provided, however*, that nothing in this section contained shall be construed to prevent any person from lawfully keeping, carrying, conveying or transporting liquor on his person or in any vehicle in, into, through or within the State while such person is changing his residence.

Carrying  
liquor.

Proviso.

23. It shall be unlawful to keep, occupy or maintain any room, house, building, vehicle or place whatsoever, where liquor is manufactured, sold, kept, stored, transported, bartered, or otherwise disposed of in violation of this act; and any such liquor found in, on or about any such place, vehicle or structure, and all fixtures, equipment or paraphernalia had or used in connection with maintaining or conducting any such place or vehicle, shall be subject to seizure, forfeiture, confiscation and disposal as in this act provided.

Liquor on  
premises.

Confiscation  
of liquor.

24. Any violation of this act upon any leased premises by any lessee or employee of such lessee with the knowledge of his employer shall, at the option of the owner or lessor, upon five days' written notice to the said lessee, work a forfeiture of the lease, and shall cause the right of possession to revert to the owner. Such right of possession may be enforced by the owner by summary proceedings as for term ended as prescribed by "An act concerning landlords and tenants," approved March twenty-seventh, one thousand eight hundred and seventy-four, and amendments thereof and supplements thereto.

Forfeiture  
of lease.

Right of  
possession.

25. When any officer shall know or have reasonable ground to believe that any person is in the act of transporting, or is about to transport liquor in any vehicle in violation of this act, it shall be the duty of such officer to examine such vehicle and to seize and safely keep any and all liquor found therein which is

Examination  
and seizure  
of liquor in  
vehicle.

being so transported or is about to be so transported; and such officer shall also seize said vehicle and any animal used in drawing said vehicle; *provided*, that this section shall not apply to any chattel which has been stolen from or let by the owner thereof without knowledge that such chattel was intended to be used, or is being used for such unlawful purpose. Said officer shall also arrest any person in charge of such vehicle, and such officer shall forthwith make complaint before the magistrate named in this act, and shall execute the warrant of arrest when issued against the person so arrested. If no person shall be found in charge of such vehicle, or if any person in charge of such vehicle shall escape, the magistrate shall, upon proof before him that any of the provisions of this act have been violated as in said complaint charged, adjudge such vehicle, animal, liquor and container forfeited to the State of New Jersey, and shall order the said chattels to be disposed of as in this act provided.

26. Any vehicle or animal seized as in the next preceding section provided, shall be returned to the owner upon execution by him of a proper bond to the State of New Jersey, with sufficient sureties, to be approved by the magistrate, in a sum equal to the value of the chattels seized, which value shall be fixed by the magistrate, conditioned to produce the said chattels at such time and place as shall be ordered by the magistrate, to abide the judgment resulting upon any proceeding had under this act respecting said chattels.

27. Any vehicle or animal seized under the provisions of this act shall, unless good cause to the contrary be shown by the owner, be liable for the payment of the costs and fines adjudged against the owner upon conviction, or against the person in charge thereof at the time of such seizure, and shall be liable to be sold to make such costs and fines as any personal property seized on a judgment execution may be sold; and any magistrate is hereby authorized, as part of said proceedings, to give judgment for the costs and fines in the name of the State of New Jersey against said owner, and said judgment shall constitute a lien as aforesaid, the amount thereof to be made of such chattels in manner aforesaid.

Proviso.

Arrest.

Forfeiture  
of goods and  
vehicle.Return of  
vehicle to  
owner.Vehicle liable  
for fines and  
costs.

28. If within thirty days no one shall be found claiming the vehicle or animal so seized, the fact of the seizure of the same, with a description of said vehicle and animal, together with notice that the same will be sold at public sale, at a time not more than sixty days after the date of the first appearance of the advertisement, and at a place named, shall be advertised in a newspaper published in the municipality or county where such vehicle or animal is seized, or, if there be no newspaper published in such municipality or county, then in a newspaper having circulation in said county, once a week for two weeks, and also by like notices posted at least seven days prior to the date fixed for such sale, in three public places near the place of seizure. If no claimant shall appear within ten days after the last publication of the advertisement and notices as aforesaid, the property shall be sold at public sale and the proceeds, after deducting the expenses and costs, shall be paid into the treasury of the county where the seizure is made.

Sale of seized vehicle after advertisement.

29. For the purpose of carrying out in any case the procedure provided for in the next preceding section, all necessary expenditures thereby incurred shall be paid by the county treasurer of the county where the seizure is made, upon the certificate of the magistrate before whom such case shall be brought.

Expenses met by county.

30. Whenever any chattel is seized under any of the provisions of this act, the magistrate before whom the proceeding shall be brought is hereby authorized by his order to direct the manner and place of the care and safe keeping of such chattel pending the final determination as to the disposal of and right to such chattel as in this act provided. Upon the sale under this act of any chattel seized under the provisions of this act, the proceeds of said sale, after deducting the expenses of keeping the property, the fee for the seizure, and the cost of the sale, shall pay all liens according to their priority, which may have been established, by intervention or otherwise in any proceeding brought for that purpose, as being bona fide and as having been created without the lineor having any notice that the carrying vehicle was being used or was to be used for

Care and sale of seized property.

Proceeds of sale.

illegal transportation of liquor, and any balance still remaining after the said costs, fines, costs of sale and liens shall have been paid shall be paid to the treasurer of the county in which such seizure and sale was made.

Destruction  
of liquor.

31. Whenever any person arrested for any violation of this act is convicted of such violation as in this act provided, and any liquor shall have been seized at the time of the arrest of said person, it shall be the duty of the magistrate, upon such conviction, to order that the liquor and the container of the same be and are forfeited to the State of New Jersey, and that, if no review is taken within the time herein provided, such liquor and the container thereof be thereupon forthwith destroyed.

Magistrate  
to supervise  
destruction.

32. It shall be the duty of any magistrate, upon his ordering the destruction of any liquor as herein provided, to supervise in person such destruction, or in his discretion, specially to designate some person to supervise such destruction, and the destruction of such liquor shall be certified to by such magistrate, and, if destroyed in the presence of some person designated as aforesaid, the magistrate shall so certify, together with the name of the person designated, and that such designated person has made proof before such magistrate of the destruction of said liquor; *provided, however,* that the magistrate may, in his discretion, before such liquor is ordered destroyed, direct the State Department of Health to analyze such liquor and the said liquor if found to be of a required standard suitable for medicinal purposes shall be preserved in bond by the State of New Jersey for the use of the State's institutions and all free hospitals. Application for liquor for the use of State institutions and free hospitals shall be made to the State Department of Health, who shall provide by regulation for the use of the same.

Proviso.

May be re-  
served for  
medicinal  
purposes.

Arrest for  
violations.

33. It shall be the duty of every officer, with or without warrant or process, upon view to arrest any person violating any of the provisions of this act, and to take him before a magistrate within the county where arrested; and forthwith to make a complaint against the person so arrested; and it shall be the duty of the

magistrate forthwith, to issue a warrant of arrest for such person, and of the officer to execute the warrant.

34. Whenever a complaint is made before any magistrate that a person has violated one or more of the provisions of this act, it shall be the duty of such magistrate, and every such magistrate is hereby given full power and authority to issue his warrant to arrest any such person so complained against, and, summarily without a jury and without any pleadings, to try the person so arrested and brought before him, and to determine and adjudge his guilt or innocence.

Warrant for arrest.

Summary trial.

35. In any complaint, warrant, conviction, judgment, record or record of any proceedings, the use of the word "liquor" shall be a sufficient description of any or all of the liquids included in the definition in section two of this act.

36. In any complaint one or more offenses may be set out, and the defendant may be tried and judgment given on each offense set out in such complaint, and the several penalties for each of such offenses of which the defendant is convicted may be imposed.

In complaints term "liquor" sufficient. Several offenses in one complaint.

37. It shall not be necessary at any trial, hearing or inquiry, or in any proceeding under this act, to aver in the complaint or to prove at the trial, that a defendant is not within any of the exceptions of this act. At any such trial, hearing or inquiry, or in any such proceeding the liquor or liquors mentioned in paragraph (A) section two of this act shall be presumed to be for beverage purposes and to contain more than one-half of one per centum of alcohol by volume.

Presumption.

38. Whenever any person is charged by complaint and is brought before a magistrate, the magistrate shall forthwith try, or fix a time for the trial of, such person, and shall have power to hold such person to bail for such trial, and in default of bail to commit such person to the common jail to await such trial; and the magistrate shall have power to adjourn the trial upon application of the defendant, or upon application made on behalf of the State, or upon his own motion, for a period not exceeding two weeks at a time.

Bail.

39. If any person shall be convicted of violating any of the provisions of this act, it shall be sufficient for the

What record of conviction to show.

record of the conviction to set out the name of the defendant, and the number or numbers of the section or sections violated and the short title of this act, the names of the witnesses sworn and a list of the exhibits produced at the trial, and the substance of the testimony upon which such conviction is had, and a statement that the defendant was convicted and adjudged to be a disorderly person with the date of such conviction, and the penalty imposed; and if the defendant pleaded guilty or non vult to the complaint, then a statement of that fact. Such conviction shall be signed by the magistrate. Such conviction, the complaint, the warrant of arrest and a copy of the commitment shall constitute a sufficient record. Such record shall be filed forthwith by the magistrate in the office of the county clerk of the county where such conviction is had, and shall be and remain a public record.

Record filed.

Right of review.

40. Within ten days after conviction or judgment given by any magistrate against the person or property of any defendant in any proceeding under this act, the defendant shall have the right to review the conviction or judgment before the justice of the Supreme Court holding the circuit in the county wherein such conviction was had or judgment was given, by filing notice of such intention to review with the county clerk; and the said justice on such review, shall have power to determine the legality of such conviction or judgment and to discharge the person or property of the defendant from said conviction or judgment, if the same shall have been unlawfully had against such defendant. For such review said justice of the Supreme Court shall order the record herein provided for to be brought before him, and upon the application of and at the expense of the defendant, may require the magistrate to certify the transcript of the testimony taken, if the same was taken stenographically or was reduced to writing. No conviction had or judgment given by any magistrate shall be set aside for any imperfection, defect in or lack of form, or for any error not affecting the merits of the case, or for want of evidence if there was sufficient evidence before the magistrate below to support the charge against the defendant.

Technicalities disregarded.

41. Upon the review of any conviction or judgment the justice of the Supreme Court may, by his order, correct any irregularity appearing upon the face of the record and not affecting the defendant upon the merits of the case.

Irregularities corrected.

42. Nothing in this act contained shall be construed as abridging the power of the Supreme Court to review by certiorari any proceeding had under this act.

Review by certiorari.

43-a. If the conviction of any defendant shall be set aside by the justice of the Supreme Court reviewing the same, such defendant shall be entitled to be reimbursed by the county collector for any fine or taxed costs which have been actually paid by him and also for any amount paid by him to the stenographer under the terms of this act, upon a bill rendered to the board of chosen freeholders in the form required by such board of chosen freeholders for payment of its ordinary bills.

If conviction set aside defendant reimbursed.

44. Any person who violates any of the provisions of this act shall, upon conviction thereof, be deemed and adjudged to be a disorderly person and shall be subject to the punishment herein provided.

Violator a disorderly person.

45. Any person adjudged by a magistrate to be a disorderly person for the violation of any of the provisions of this act, shall be sentenced by such magistrate to be confined in the workhouse, penitentiary or common jail of the county where the conviction is had, for a period not to exceed six months, or to pay a fine not to exceed five hundred dollars, or both, in the discretion of such magistrate, and also to pay the costs.

Penalty.

46. If a fine is imposed by such magistrate and not forthwith paid, said magistrate shall order the defendant committed to the workhouse, penitentiary or common jail until such fine and the costs are paid; *provided*, that such defendant shall not remain confined after a period of twice the number of days as there are dollars in the fine and costs imposed, and in no event upon commitment for an unpaid fine or costs for a period longer than six months; *and, provided further*, that such defendant shall be forthwith discharged from such confinement upon payment of such fine and costs, deducting from the total sum thereof a credit for the time of such

Commitment for not paying fine.

Proviso.

Proviso.

confinement at the rate of one dollar for every two days of confinement served.

Docket of convictions kept by county clerk.

47. When any person shall be convicted of violating any of the provisions of this act, it shall be the duty of the county clerk of the county wherein such conviction is had forthwith upon receipt of the record from the magistrate, as herein provided, to index the judgment of conviction in a docket to be kept by him for that purpose; and said docket shall set out the name of the defendant, the date of the conviction, and the particular offense of which said defendant shall have been convicted, and the punishment imposed and the amount of costs certified by the magistrate; such docket shall be and remain a public record of said county.

What to show.

Compulsory testimony.

48. Any person may, by subpoena, be compelled by a magistrate to attend and testify upon any trial, hearing, investigation or other proceeding hereunder not against himself; and no such witness shall be excused from answering any question which the magistrate shall decide to be competent, on the ground that to answer might or would tend to incriminate or degrade said witness or to subject him to a penalty; but no answer made by any witness to any such question shall be used or admitted in evidence in any proceeding against said witness, except in a prosecution for perjury in respect to any such answer.

Contempt of court.

49. Any disobedience to a subpoena, or any refusal to be sworn as a witness, or refusal to sign the testimony, or any refusal to answer any competent question in any trial or other proceeding before such magistrate, shall be a contempt of said magistrate in the nature of a contempt of court, for which the magistrate shall have power summarily to punish the offender by imprisonment not exceeding thirty days, or by a fine not exceeding one hundred dollars.

Penalty.

Action by prosecutor on notification.

50. If any prosecutor of the pleas shall be notified in writing by any officer or other person of any violation of any of the provisions of this act, and such notification shall contain the names and addresses of witnesses, it shall be the duty of such prosecutor diligently to inquire into the facts of such alleged violations, and for that purpose such prosecutor is hereby authorized

to issue subpoenas for such persons as he shall have reason to believe have any information concerning, or knowledge of, such alleged violation, to appear before him at a time and place named, then and there to testify under oath concerning any knowledge such witness may have of any violation of any of the provisions of this act; and the testimony of such witness may be reduced to writing and he shall, in the discretion of such prosecutor, be required to sign the same. If the testimony shall disclose that any violation of this act has been committed, it shall be the duty of the prosecutor, upon complaint being made, forthwith to apply for a warrant of arrest and have the defendant brought before a magistrate for trial.

51. It shall be the duty of the prosecutor of the pleas of each county to use all reasonable and lawful diligence for the detection, arrest and conviction of the persons violating this act, and all necessary expenses incurred thereby, certified to and approved under his hand and by a magistrate, shall be paid by the county treasurer, and if a conviction or judgment is to be reviewed, or, a conviction, judgment or other proceeding is taken up on certiorari, it shall be the duty of such prosecutor of the pleas to carry such case to the final adjudication.

Duties of  
prosecutors.

52. The prosecutor of the pleas in each county and his assistant prosecutors are hereby authorized to prosecute in the name of the State of New Jersey any proceeding and complaint for violations of any of the provisions of this act.

Prosecutions.

53. Subject to the approval of the justice of the Supreme Court holding the circuit in the county, the prosecutor of the pleas is hereby authorized to employ such legal assistance, in addition to his regular assistants, as shall be necessary for the trial of persons complained against for violating any of the provisions of this act, and to defend on review any convictions or judgments.

Legal assist-  
ants.

54. It shall be the duty of every sheriff, constable, police officer and other peace officers, to use all due diligence to detect violations of this act and therefor to make complaint before a magistrate as herein provided.

Duties of  
peace officers.

Right of ac-  
tion by in-  
jured persons.

In case of  
death.

Proviso.

Proviso.

Proviso.

55. A right of action in any court of competent jurisdiction shall accrue to, or on account of any person who shall be injured in person, property, means of support, or otherwise, by any intoxicated person, or by reason of the intoxication of, or the sale of liquor to any person, in violation of this act. Such right of action shall run against any person who, by unlawfully selling, or by unlawfully assisting in any manner in the procuring of such liquor, shall have caused or contributed to the said intoxication or to the said results of the sale of said liquor. In any such action both actual and exemplary damages may be awarded. In case of the death of any person, the right of action given by this section shall survive to or against the executor, administrator or personal representatives of the decedent; *provided, however,* that if the death of any person results from intoxication, either directly or indirectly, such action shall be brought by and in the names of the personal representatives of such decedent, and the amount recovered in every such action shall be for the exclusive benefit of the widow or of the surviving husband and next of kin of such decedent, and shall be distributed to such widow, surviving husband or next of kin in the proportion provided by law in relation to the distribution of personal property left by persons dying intestate; and in every such action the jury shall give such damages as they may deem fair and just with reference to the pecuniary injuries resulting from such death to the widow, surviving husband and next of kin of such decedent, and the jury may also give exemplary or punitive damages in addition to damages for such pecuniary injuries; *and further provided,* that where such decedent shall leave him or her surviving a widow or husband but no children or descendant of any children and no parents, the widow or surviving husband, as the case may be, shall be entitled to the whole of the damages which may be recovered in any such action; *and provided further,* that every action brought under this section shall be commenced or sued within two years after the injury or after the death of the decedent, as the case may be, and not after.

56. The use or possession of any liquor, vehicle, bar, fixture, containers, utensil, machine, contrivance or paraphernalia for the unlawful manufacture, transportation, storage or sale of liquor shall work a forfeiture of title to such liquor or chattel to the State of New Jersey, and any such chattel shall be seized and disposed of as in this act provided; *provided*, that this section shall not apply to any chattel which has been stolen from or let by the owner without knowledge that such chattel was intended to be used or is being used for such unlawful purpose.

Unlawful possession of liquor or utensil.

Proviso.

57. When an allegation in writing upon oath is made before any magistrate, that the affiant has reason to believe and does believe that liquor is being manufactured, transported, sold, bartered, delivered, furnished or possessed in violation of this act by any person, or that any person, in violation of this act, has any liquor secreted in, upon or about his premises, or in, upon or about any other place or places named and described and being within the municipality or county in which said magistrate has jurisdiction under this act, the magistrate, upon being satisfied that said allegation sets forth sufficient facts to warrant the belief on the part of the affiant that any of the provisions of this act has been or is being violated, shall issue a process in the nature of a search warrant, directed to any sheriff, constable, marshal, police or peace officer having power within the territorial limits aforesaid to execute warrants or other like process, and such statement so made is referred to and called in this act the allegation.

Search warrant issued on allegation.

58. The search warrant so issued shall recite the allegation in substance and shall command and authorize the said sheriff, constable, marshal, police or peace officer forthwith to search the premises, place or places designated and described in said search warrant, and to seize and safely keep any such liquor there found, together with any and all vehicles, fixtures, containers, utensils, machines, contrivances or paraphernalia whatsoever they found, used or intended to be used in the illegal keeping, manufacture, transportation or sale of liquor, and also to take the body of the person in whose possession such liquor or chattels

Authority of search warrant.

may be found, and safely keep said liquor and chattels until the further order of such magistrate, and to bring said person so found forthwith before the magistrate who issued said search warrant; and said officer shall forthwith make a complaint against such person.

Service of  
warrant.

59. Such search warrant may be served and executed by any officer to whom it is addressed, but by no other person, except in aid of the officer, he being present and acting in its execution and requiring such aid.

Officer's  
authority  
given.

60. In executing such search warrant the officer shall give notice of his authority and purpose to any person present or appearing at or upon the premises to be searched, and, if admittance is refused, or if there be no person present or responding, the officer may break and enter the place.

Hours for  
search.

61. Such search warrant shall be executed between the hours of six A. M. and six P. M. unless the sworn allegation avers that the liquor or chattel is in the place to be searched, in which case the magistrate may insert in said search warrant a direction that it may be executed at any time of the day or night.

Return of  
search war-  
rant.

62. Such search warrant must be executed and returned to the magistrate who issued it within ten days from its issuance; and unless executed within ten days as aforesaid it shall be void.

Testimony  
on search  
warrant.

63. Upon the return of a search warrant executed, if the grounds on which the search warrant was issued be controverted as to the facts involved, the magistrate shall proceed to take testimony in relation thereto; which testimony, on the request of the defendant, may be taken by a stenographer as hereinbefore provided for the taking of testimony on the trial of a defendant.

Return of  
liquor or  
chattel.

64. If the testimony and evidence discloses that the liquor or chattel taken upon such search warrant is not the same as that referred to in the search warrant, or that there was no probable cause for believing the existence of the grounds on which the search warrant was issued, the magistrate shall order the said liquor or chattel to be restored to the person or place from whom or which it was taken; but if the testimony and evidence discloses that the liquor or chattel taken is the same as that referred to in the search warrant, and

Destruction  
of liquor and  
chattel.

that there was probable cause for believing the existence of the grounds on which the said search warrant was issued, and that any of the provisions of this act has been violated as charged in said allegation, then such liquor and the containers thereof shall by such magistrate be ordered destroyed; and any chattel so seized, used or intended to be used for the unlawful manufacture or sale of liquor, shall by like order be destroyed; any other chattel so seized shall either be destroyed or be sold as in this act provided for the sale of other chattel or personal property seized in the unlawful transportation of liquor, as the magistrate may determine and order.

65. Whenever any liquor or other chattel or property shall be ordered destroyed under the next preceding section, it shall be destroyed in the same manner provided for in this act for the destruction of other like property.

Manner of destruction.

66. Any officer executing such search warrant, in addition to the powers herein set forth, is hereby invested with all the powers conferred by law upon a sheriff or his deputies, or a constable or police officer, in the execution of a search warrant.

Powers conferred on officers.

67. Any person who shall obstruct or prevent any such officer or person called to his aid free entry into, or search of any building or premises, specified in such warrant, as aforesaid, or who shall obstruct or prevent the seizure of such liquor or other chattel specified in this act, found in said building or premises, after exhibition of such warrant and notice of the authority and purpose of such officer, or who shall resist, assault, beat or wound any such officer or person called to his aid, may forthwith and without a warrant be arrested by such officer or any other officer, and shall in addition to any other penalties incurred under any other law, be deemed guilty of a violation of this act.

Interference with officers.

68. When any officer seizes any liquor, chattel or other property under a search warrant he shall give a copy of the search warrant, together with a receipt for the liquor, chattel or other property so seized, to the person from whom it is taken, or in whose possession it is found; and if no person be present to whom such copy and receipt can be given, such officer shall post and leave

Copy of warrant and receipt left.

such copy and receipt in the place where the liquor, chattel or other property is seized.

Return of search warrant with inventory of property seized.

69. After any seizure as herein provided, the officer shall forthwith return the search warrant to the magistrate who issued the same, and deliver to the magistrate a written inventory of the liquor, chattel or other property seized, verified by the affidavit of such officer, and attached to the search warrant, and to the following effect:

Affidavit by searching officer.

"I (here insert name), the officer by whom this warrant was executed, do swear that the above inventory contains a true statement of all liquor, chattels or other property seized by me in executing the annexed warrant."

Copy of inventory furnished.

70. The magistrate shall thereupon, if required, give a copy of the inventory so made to the person from whose possession the liquor, chattel or other property was taken, and to the person who made the allegation for the search warrant, and to the officer making the return.

Search in private dwelling.

71. No search warrant shall issue to search any private dwelling, unless the person making the allegation shall upon oath aver that he has personal knowledge that such private dwelling is being used for or in connection with the unlawful sale of liquor.

Arrest for violations in presence of officials.

72. Any magistrate, mayor, police or peace officer, or constable within the territorial limits of his authority, may, without a warrant arrest any person whom he finds in the act of violating any of the provisions of this act, and may also seize any liquor, implements of manufacture or sale, and any vehicle in the possession of such person, and detain such person or chattel until a warrant can be procured.

Bail.

73. Every magistrate, before whom any defendant is brought charged with violating any provision of this act, may take the recognizance to the State of New Jersey of such defendant, with surety, in a reasonable sum for his appearance before the said magistrate for trial at a future time, not exceeding ten days.

Forfeiture of bail.

74. If any person shall be bound by recognizance to the State of New Jersey, with condition for his appearance before any magistrate for trial or other proceeding

under this act, and if such person shall not appear agreeably to the condition of such recognizance, then the magistrate before whom such recognizor may be bound to appear may forfeit the same, and shall forthwith certify the forfeiture of such recognizance and forward the said recognizance together with such certification to the prosecutor of the pleas of the county wherein such recognizor was bound to appear; and it shall be the duty of such prosecutor of the pleas to proceed by suit upon said recognizance in any court of competent jurisdiction in the same manner now provided by law for suits upon recognizances forfeited in the several criminal courts in this State.

Duty of  
prosecutor.

75. A commitment for the imprisonment of any defendant convicted for the violation of any of the provisions of this act, shall be sufficient if such commitment shall be dated and signed by such magistrate, and be directed to the sheriff, keeper or warden of the penitentiary, workhouse or common jail of the county in which said conviction was had, and contain the name of the defendant, and a command to such sheriff, keeper or warden to receive and safely keep the defendant for such time as is by such magistrate therein directed, and a statement that the defendant has been adjudged by such magistrate to be a disorderly person under the "Prohibition Enforcement Act" upon a complaint in writing under oath made before such magistrate, and that the defendant was tried upon, or pleaded guilty to, such complaint as in said act provided.

Commitment.

76. All subpoenas, warrants, writs and process issued by a magistrate shall be signed by him and be tested on the day they are issued, and process for the attendance of witnesses or for arrest, when issued under any of the provisions of this act, shall run throughout this State.

Signing and  
testing by  
magistrate.

77. After the conviction of every defendant the magistrate shall forthwith send a copy of the bill of costs in the case to the county treasurer, and said magistrate shall endorse thereon the amount of the fine imposed, if a fine was imposed, and the name of the attorney for the State who appeared to prosecute the complaint.

Copy of bill  
of costs.

78. All fees and allowances shall be payable by the county treasurer out of any funds of the county not

Payment of  
fees by county  
treasurer.

otherwise appropriated to the person performing the service or entitled under this act to receive the same, upon certificate of the magistrate that the same are proper charges; and for any payment so made such certificate shall be sufficient authority to such county treasurer.

Cash instead  
of surety.

79. Whenever in this act a bond or recognizance to the State of New Jersey is required the magistrate may accept money deposited with the county treasurer in lieu of surety on the bond or recognizance; and if any recognizor shall not appear according to the conditions of his recognizance or if the conditions of said bond shall be declared forfeited by the magistrate, the money so paid to the county treasurer in lieu of surety shall be forfeited and shall be retained by the county treasurer as if recovered on judgment and execution.

Use of fines  
and costs.

80. All fines and all costs shall be paid to the county treasurer of the county in which such fines, or costs are imposed, and shall be for the use and benefit of such county.

No licenses  
granted.

81. No court, judge, board, body, commission, commissioner or public official heretofore at any time having power and authority to grant and issue licenses for the sale of spirituous, vinous, malt or brewed liquors shall hereafter grant or issue any licenses, or any permit in the nature of a license, for the sale, in any quantity of spirituous, vinous, malt or brewed liquors for beverage purposes.

Licenses  
null and  
void.

82. Every such license, and every permit in the nature of such a license, heretofore granted or issued shall at all times and for all purposes be null and void, and every such license, or permit in the nature of a license, hereafter granted or issued shall at all times and for all purposes be null and void.

Schedule of  
fees:

83. In addition to the fees herein otherwise provided for, the fees in the following schedule shall be allowed in proceedings under this act, and where no fee is provided for any service to be performed the same shall be performed without charge therefor.

WITNESSES.

For each witness within the county.....50 cents. Witnesses;  
 For each witness from without the county, one dol-  
 lar; and for every mile of travel, five cents, computed  
 by counting the number of miles in and out by the most  
 direct route from the place where such process is re-  
 turnable.

SHERIFFS, CONSTABLES AND OTHER OFFICERS.

Service of warrant for arrest..... 75 cents. Officers.  
 Service of search warrant and return.....2 dollars.  
 Service of subpoena ..... 30 cents.  
 Service of execution ..... 75 cents.

For every mile of travel in serving subpoena or  
 warrant of arrest, or search warrant, after  
 the first mile, computed by counting the  
 number of miles in and out, by the most di-  
 rect route from the place where such process  
 is returnable ..... 5 cents.

84. It shall not be necessary to pay a witness for the  
 State his witness fees or mileage at the time the witness  
 is served with subpoena, in order to make such subpoena  
 binding upon the person served. Payment of  
 witness fee.

85. No person shall be prosecuted, tried or punished  
 for violating any of the provisions of this act unless  
 the complaint for the same shall be made within one  
 year from the time of committing the offense. Complaints  
 made within  
 one year.

86. All the provisions of this act shall be liberally  
 construed to the end that the use of intoxicating liquor  
 as a beverage may be prohibited. Act construed  
 liberally.

87. If any provision of this act shall be held invalid,  
 it shall not be construed to invalidate any other provi-  
 sion of the act. Validity of  
 act.

88. All acts and parts of acts, general, special or  
 local, inconsistent with any of the provisions of this act  
 are hereby repealed. Repealer.

89. All acts and parts of acts, general, special or  
 local, which make any act or thing prohibited or made  
 unlawful by this act an indictable offense are hereby  
 Penalties im-  
 posed under  
 this act.

Proviso.	repealed, and all acts or things prohibited or made unlawful by this act shall hereafter be punished only under the provisions of this act, and shall not constitute indictable offenses; <i>provided</i> , any person who shall habitually violate any of the provisions of this act shall be liable as heretofore to indictment for keeping a disorderly house.
Effect of repealer.	90. The repeal of the above-stated acts and parts of acts shall not be construed to revive any act or any part of an act which may have been repealed by any of the acts hereby repealed; no offense committed prior to the date of this act taking effect, and no indictment or other criminal proceeding of any nature shall abate by reason of the repeal of said acts or parts of acts, but all proceedings on any indictments now pending, and every criminal proceeding of every nature, shall proceed, and every offense committed prior to the date of this act taking effect may be prosecuted, as if this act had not been passed.
Justice of Supreme Court sitting as magistrate.	91. If the justice of the Supreme Court holding the circuit in any county shall for any cause be satisfied that the public good and the proper enforcement of this act so require it shall be lawful for him to act as the magistrate in such county, and when so acting he shall possess all the powers and may perform all the duties granted and imposed upon the magistrate by this act. And when acting as such magistrate said justice for the trial of any case shall receive the same compensation as is herein allowed a judge of the Court of Common Pleas when so acting. When a justice of the Supreme Court thus acts as the magistrate, a review of the proceedings had before him shall be by certiorari to the Supreme Court.
Special prosecutor.	92. If the justice of the Supreme Court holding the circuit in any county shall be satisfied that the public good and the proper enforcement of this act shall so require, it shall be lawful for him to appoint a reputable counsellor at law as special prosecutor. Such special prosecutor, so appointed, shall possess all the powers and perform all the duties conferred and imposed upon the prosecutor of the pleas by this act. Such special prosecutor shall in addition to the trial fee hereunder
Powers and duties.	
Compensation.	

allowed the prosecutor of the pleas receive such compensation as the justice of the Supreme Court shall fix and the county treasurer shall upon the certificate of said justice of the Supreme Court pay to said special prosecutor the amount of his compensation so fixed and certified. All expenses incurred by such special prosecutor in the performance of his duties under this act shall be paid by the county treasurer in the same manner as is provided herein for the payment of the expenses of a prosecutor of the pleas. Such special prosecutor may be appointed for a special purpose, which shall be set out in his certificate of appointment, or he may be appointed generally to perform all the duties imposed herein upon the prosecutor of the pleas for a fixed time or for an indefinite time until the further order of such justice. When a special prosecutor is so appointed for a fixed time or for an indefinite time he shall during such fixed time, or during the time he acts as special prosecutor under such appointment for an indefinite time, in all things supersede the prosecutor of the pleas in the performance of any and all of the duties imposed by this act upon the prosecutor of the pleas.

Expenses met.

May supersede prosecutor.

93. This act shall take effect April thirtieth, nineteen hundred and twenty-one.

Act effective.

Passed March 29, 1921.

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#### CHAPTER 104.

An Act respecting cities of the first class and providing for the nomination and election of commissioners elected therein.

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

1. Hereafter in every city of the first class in this State there shall be held a primary election for nominations for commissioners required to be elected therein,

Primary elections for commissioners; when held.

and the first primary election for such nominations shall be held on the fourth Tuesday in April following the adoption of this act, and thereafter the primary election for such nominations shall be held on the second Tuesday in April in the fourth succeeding year and on the second Tuesday in April in the fourth year thereafter.

Election of-  
ficers and  
polling place.

2. The election officers conducting the last general annual election shall be the officers of the primary election as well as the officers of the general municipal election, and the primary and municipal elections shall be held at the same places and conducted in the same manner so far as possible, and the polls shall be opened and closed at the same hours as provided by the general election laws.

Names of  
candidtaes  
filed.

The names of candidates for commissioners shall, at least ten days prior to the primary election, be filed with the city clerk in the manner and form and under the conditions hereafter set forth, and the petition of nominations shall consist of individual certificates equal in number to at least one-half of one per centum of the entire vote at the last preceding general election, but in no event less than twenty-five, and said petition shall read substantially as follows:

PETITION OF NOMINATION.

Form of  
petition of  
nomination.

I, the undersigned, a qualified elector of the city of ..... , residing at..... , certify that I do hereby join in a petition for the nomination of ..... , whose residence is at ..... , for the office of commissioner, to be voted for at the primary election to be held in such city on the..... 19.. , and I further certify that I know this candidate to be a qualified elector of said city and a person of good moral character, and qualified in my judgment for the duties of such office, and I further certify that I have not signed more petitions or certificates of nominations than there are places to be filled in the above office.

(Signed).....

Being duly sworn, deposes and says that he is the person that signed the foregoing certificate; that the statements contained therein are true and correct.

(Signed) .....

Subscribed and sworn to before me.....

It shall be the duty of the city clerk to furnish upon application a reasonable number of forms of individual certificates of the above character.

Forms supplied.

Each certificate must be a separate paper and must contain the name of but one signer thereto, and no more, and shall contain the name of but one candidate, and no more. Each signer must not, at the time of filing the certificate, have signed more certificates for candidates for that office than there are places to be filled in such office, and in case an elector has signed two or more conflicting certificates, all such certificates shall be rejected.

Separate certificates and one name only.

When such a petition of nomination is presented for file to the city clerk, he shall forthwith examine the same and ascertain whether it conforms to the provisions of this section, and if not found in conformity thereto, he shall designate the defect and return the petition forthwith to the person presenting it, which may again be presented forthwith when properly amended.

Examination of petitions.

Immediately upon the expiration of the time for filing certificates, statements and petitions for candidates the said clerk shall cause to be published for three successive days in all the daily newspapers published in such city, in proper form, the names of the persons as they are to appear upon the primary ballots, and if there be no daily newspaper, then in two issues of any other newspapers that may be published in said city; and the said clerk shall thereupon cause the primary ballots to be printed, authenticated with a facsimile of his signature. The city clerk shall draw lots to determine the order in which the names of the candidates, or group of candidates, shall appear upon the primary ballots. The name of the person, or group of candidates first drawn shall occupy the first place on the ballot and the name of the person, or group of candi-

Name of candidates published.

Arrangement of names.

- dates next drawn shall occupy the second place, and so forth. The manner of drawing the lot shall be as follows: Paper cards with the name of each candidate, or group of candidates, written thereon, shall be placed in a covered box with an aperture in the top large enough to allow the said cards to be drawn therefrom. The city clerk in the presence of any candidate, shall draw from the box each card without knowledge on his part as to which card he is drawing.
- Drawing.**
- Designation opposite name.** Any candidate whose name is to be voted on the ballot, by petition addressed to the city clerk, may request that the said city clerk shall print opposite his name on the ballot a designation, in not more than six words, as named by him in said petition, for the purpose of indicating either any official act or board to which he is pledged or committed, *provided*, that such designation shall not indicate political party affiliations.
- Proviso.** On the filing of any such petition the said clerk shall cause the said designation to be printed opposite the name of the said person upon the ballot. If several candidates for the same office shall in said petition request that their names be grouped together, and that the one designation to be named by them shall be printed opposite their said names, the said clerk shall group the said names of said persons in a bracket, and opposite the said bracket shall print the said designation as aforesaid. Such petition to the said clerk requesting a designation or a grouping of the candidates shall be filed with the city clerk at least eight days before the primary election. If two candidates or groups shall select the same designation the clerk shall notify the candidate or group whose petition was last filed, and the said candidate or group shall select a new designation.
- Grouping names.**
- If same designations filed.**
- Arrangement.** Upon the said ballot arranged in the order in which the names were drawn by the city clerk shall appear the names of the candidates for commissioners with their designation, if any, with a square at the left of each name, and below the names of such candidates shall appear the words "Vote for five." The ballots shall be printed upon plain, substantial white paper, and shall be headed:

Candidates for Nomination for Commissioners of City at the Primary Election. The ballots shall be substantially in the following manner: Form of ballot.

(Place a cross X or plus + in black ink or lead pencil in the square preceding the names of the persons you favor as candidates for the respective positions.

Official Primary Ballot.

Candidates for Nomination for Commissioners of City of.....at the Primary Election.

For Commissioner.

(Name of Candidate)

(Vote for five)

Official ballot attest

(Signature .....)

City Clerk.

One space shall be left below the printed names of the candidates of each office to be voted for, wherein the voter may write the name of any person for whom he may wish to vote. Blank space shall be left equal to the number of offices to be filled. Blank space.

Having caused said ballot to be printed, the said city clerk shall cause to be delivered at each polling place one and one-tenth times as many ballots as there were registered voters in such election district at the last general election. The persons, who are qualified to vote at the general municipal election shall be qualified to vote at such primary election; and the law applicable to challenges made at a general municipal election shall be applicable to challenger at such primary election. Number of ballots.

The district boards of registry, and election, shall, immediately upon the closing of the polls, count the ballots and ascertain the number of votes cast in such election district for each of the candidates in the manner now provided by law at the general election for members of the General Assembly, and make return thereof to the city clerk, immediately after the completion of the count of such ballots, upon proper blanks, to be furnished by the said clerk. Qualified voters.

On the day following the said primary election the said city clerk shall canvass said returns so received from all the election districts, and shall immediately make and file in the office Count at close of polls.

and shall immediately make and file in the office Returns.

of the city clerk the result thereof. Said canvass by the city clerk shall be publicly made.

MUNICIPAL ELECTION.

Election of  
city commis-  
sioners.

Number of  
candidates.

Ballot to  
conform to  
primary ballot.

Number  
elected.

Registry for  
election.

Adding names  
to register.

And in every city of the first class in this State, five commissioners, shall be elected, at an election to be held on the second Tuesday in May following the primary election, following the adoption of this act, and on the second Tuesday in May in each fourth year thereafter. The number of candidates equal to twice the number of places to be filled received the highest number of votes at the primary election, shall be candidates, and the names of such candidates shall be printed upon the ballot at the succeeding municipal election, and the number of candidates equal to twice the number of places to be filled receiving the highest number of votes for commissioners, or all such candidates if less than twice the number of places to be filled, shall be the candidates, and the names of such candidates shall be printed upon the ballot for commissioners at such municipal election, and the ballot at such municipal election shall be in the same general form as for said primary election, so far as possible, and at all elections in such city the election districts, polling places or rooms, methods of conducting election, canvassing the votes and announcing the results, shall be the same as herein provided for the selection of candidates at the primary election, and the number of candidates equal to the number of places to be filled receiving the highest number of votes shall be elected as commissioners, as herein provided.

The registry for elections held under the provisions of this act shall be the official signature copy register containing the names of those persons qualified to vote at the last preceding general election; transfers from one district to another shall be granted as provided by the laws appertaining to general elections in this State.

Qualified voters who did not register or vote at the general election preceding the holding of the primary elections or the election provided for under this act may have their names added to the signature copy register by applying to the county board of elections in counties

of the first class, during the week preceding the holding of such election or the primary election, and if upon such application it is made to appear to such board that such person is a qualified elector and is entitled to vote at said election an order shall be made by such board directing the proper district board of registry and election to accept such vote and such order shall be filed with the district board of registry and election and shall be returned by said board to the clerk of the municipality wherein such election is held immediately after the holding of such election, to be kept and filed in the office of such clerk for at least a period of one year; *provided*, there shall be presented by such voter and there shall be filed with said order an affidavit of said voter containing the information requisite to be given under the election and registry laws of this State.

Proviso.

Official ballots shall not be distributed or used outside of the voting place at any of the elections provided for under this act, and all the provisions of the laws relating to general elections bearing upon the subject of the distribution and use of official ballots shall apply as nearly as may be to the ballots used in the elections held under the provisions of this act, except that there shall be no official distribution of sample ballots.

No ballots outside polls.

No sample ballots.

Any candidate for election as commissioner at the municipal election shall have the right and power to appoint, evidenced by a certificate signed by such candidate two agents or challengers for each and every polling place in each election district in such city. The aforesaid certificate shall be filed with the district board of registry and election, before such agents or challengers shall be allowed to assume the privileges and duties of an agent or challenger. Such agent or challenger shall be vested with all the powers and duties now devolving upon agents or challengers by virtue of "An act to regulate elections (Revision of 1920)", passed May fifth, one thousand nine hundred and twenty, and the various supplements and amendments thereof.

Challengers.

3. The amount which may be spent in aid of the candidacy of any candidate for nomination or election as commissioner at any primary or general municipal election provided for under this act shall be the same as

Expenditure.

prescribed for candidates for municipal office under the general election law.

Repealer.

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

5. This act shall take effect immediately.

Passed March 30, 1921.

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CHAPTER 105.

An Act to amend an act entitled "An act concerning municipal accountants," approved March fourth, one thousand nine hundred and eighteen.

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

Section 1 amended.

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

County and municipal auditing.

1. Hereafter the work of auditing the accounts of municipalities and counties within the State, when such auditing is done as required by law, such auditing shall be done only by auditors or accountants who shall hold an uncanceled registration license as municipal accountant for New Jersey. A license shall be issued annually by the Commissioner of Municipal Accounts, stating that the accountant or auditor has complied with the statutory requirements and is authorized to make audits of accounts of municipalities and counties of the State of New Jersey until the first day of September following or until cancellation of such license by the Commissioner of Municipal Accounts, as hereinafter provided. The Commissioner of Municipal Accounts shall have power to refuse to issue a license for any reason or reasons for which a license may be canceled as hereinafter provided, or for any other stated reason which he may deem good and sufficient. The license fee shall be

Accountant licensed.

License fee.

five dollars (\$5.00), either for the initial license or annual renewal. All fees shall be paid to the Commissioner of Municipal Accounts, and by him paid to the State treasury.

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

Section 4  
amended.

4. In event of the proof that any accountant so registered shall have knowingly omitted to report any error, omission, irregularity, violation of law or discrepancy found in the books or accounts, or shall have issued false reports of his audit of any municipality or county; that is to say, shall have issued audits of such a nature as not to show an accurate, intelligent and complete statement of the financial condition of the municipality or county, or of such nature as not to comply with the requirements of the Department of Municipal Accounts, or if such auditor or accountant shall fail to file such report and recommendations as herein directed, or neglect or refuse to carry out any agreement or contract for audit, his registration license may be canceled by the Commissioner of Municipal Accounts; *provided, however,* that if the party whose license is thus canceled or refused shall feel that there was not sufficient cause for the cancellation or refusal of the license as herein described, he shall have the right of appeal by petition to the Court of Chancery, and pending the hearing of the appeal on the return of a rule to show cause why such cancellation should not be revoked, the Chancellor may stay such cancellation of license until such hearing. The proceedings shall be summary upon the petition and affidavits in reply thereto, and the final order shall finally dispose of the right to exercise the privileges so licensed; *provided, however,* that if in the course of the hearing it shall be necessary to refer the same to a master to determine the facts as to accounts or to hear the same by production of the books and accounts of municipalities, that the hearing need not then be confined to the reading of the petition and affidavits supporting the petition and in reply thereto, and in such case the finding of the court shall be as in other cases upon the report of a master after reference.

Reasons for  
canceling  
license.

Proviso.

Summary  
proceedings.

Proviso.

Section 6  
amended.

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

Penalty.

6. Any person who shall make, or begin to make, any audit of accounts of any municipality or county of this State, as required by "An act requiring the audit of public accounts, approved March fourth, one thousand nine hundred and eighteen," contrary to the provisions of this act, or without a license therefor in full force and effect, shall be liable to a penalty of one hundred dollars for every audit of account so made, to be recovered in an action of debt, to be instituted by the Commissioner of Municipal Accounts, in the name of the State Treasurer in any court having jurisdiction.

Section 7  
amended.

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

Signing re-  
ports of  
audits.

7. All reports of audit of accounts of municipalities or counties shall be signed by the auditor or accountant making the audit or in charge of the same, holding a license as herein provided, whether such audit or statement of account is made by any person, firm or corporation employing such auditor or accountant, or otherwise, and the licensing or the revocation of the license of any such auditor shall not be construed to affect the contracting with any municipality or county by any person, firm or corporation employing auditors or accountants; *provided, however,* that upon the revocation of the license of an auditor or accountant for the purposes herein specified and authorized, such person, firm or corporation shall not employ in such work such auditors or accountants but only such persons as may be licensed as herein required; *provided, further,* that the auditor or accountant whose license may have been revoked may, however, be employed in a subordinate capacity.

Proviso.

Proviso.

Improper  
employment  
of unlicensed  
auditor.

In case any person, firm or corporation shall willfully employ any person not holding a license in full force and effect as auditor or accountant in municipal work within the purview of this act and other acts in which audits shall be subject to the supervision and orders of the commissioner, the commissioner shall have authority to direct the municipalities or counties to refuse to employ

such person, firm or corporation in such work during the continuance of such violation.

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

Approved March 31, 1921.

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CHAPTER 106.

A Supplement to an act entitled "An act requiring the audit of public accounts," approved March fourth, one thousand nine hundred and eighteen.

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

1. On failure of any municipality or county to carry out the provisions of section one of this act by reason of the failure or refusal of the governing body thereof to institute such audit or audits as therein provided and to complete the same within the time limited therein, the Commissioner of Municipal Accounts is authorized and shall have power to conduct, by his employees and agents or by auditors employed for that purpose, an audit of the books of such municipality or county, and such audit shall be taken to be the audit of the said municipality or county as if made in accordance with the provisions of this act, and shall be paid for out of the funds of the municipality or county, on bill rendered therefor as a liability of the municipality or county. On failure of municipalities to act commissioner to audit.

For the services of the Commissioner of Municipal Accounts, or his representatives or assistants, or the pay of the auditors employed by him, whether permanent employees of the department or not, there shall be paid to the commissioner for deposit in the State treasury by the said municipality, a per diem allowance of twenty-five dollars for each person for work done in connection with the audit or examination of the accounts of any Allowance for services.

Payment. such municipality or county. Such amount, after bill rendered by the commissioner to the municipality, shall be, after thirty days, recoverable in an action on contract in any court of this State otherwise having jurisdiction for suits of like nature in similar amount.

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

Approved March 31, 1921.

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CHAPTER 107.

An Act to amend an act entitled "An act concerning minors, their adoption, custody and maintenance (Revision of 1902)," approved April second, one thousand nine hundred and two.

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

Section 8 amended.

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

Care and custody of children of separated parents.

8. When the parents of minor children live separately, or are about to do so, the Court of Chancery, upon petition of either parent, shall have the same power to make decrees or orders concerning their care, custody, education and maintenance as concerning children whose parents are divorced. The minor child when in the actual care and custody of the mother in such cases shall not be taken by the father of such child forcibly or against the will of the mother from her custody, and the court having jurisdiction in the premises shall have authority to make such orders and decrees as will protect the mother in the maintenance of such control and custody until otherwise ordered by the court having jurisdiction.

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

Section 9  
amended.

9. In making an order or decree relative to the custody of the children pending a controversy between their parents, or in regard to their final possession, the rights of both parents, in the absence of misconduct, shall be held to be equal, and they shall be equally charged with their care, nurture, education and welfare, and the happiness and welfare of the children shall determine the custody or possession.

Rights of  
parents.

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

Section 10  
amended.

10. The court may make the necessary orders and decrees from time to time in relation to such custody or possession, but the father, as such, shall not have preference over the mother as to the award of custody of such minor child if the best interests of the child otherwise may be protected, and in no case shall the court having jurisdiction in this State over the person and custody of any minor permit such child to be removed from this State where the mother or father resides in the State of New Jersey and is the suitable person who should have the custody of such child for its best welfare.

Order of  
court as to  
removal of  
child.

Approved March 31, 1921.

## CHAPTER 108.

A Further Supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight, which further supplement 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 1  
amended.

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

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, jailor, police officer, constable, State detective, member of a legally organized detective agency, or any other peace officer or regular fish and game warden 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

Proviso.

Exceptions.

Permits.

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 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, stiletos, 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.

2. This act shall take effect immediately.

Approved March 31, 1921.

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CHAPTER 109.

An Act for the establishment of an employees' retirement system for the employees of the State of New Jersey.

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

DEFINITIONS.

Section 1. The following words and phrases as used in this act, unless a different meaning is plainly re-

quired by the context, shall have the following meanings:

"State employees' retirement system."

(1) "State Employees' Retirement System," hereinafter referred to as the retirement system, shall all be the corporate name of the arrangement for the payment of retirement allowances and other benefits, under the provisions of this act, and for the system including the several funds created and placed under the management of the board of trustees. By that name all of its business shall be transacted, all of its funds invested, all warrants for money drawn and payments made, and all of its cash and securities and other property shall be held.

"Regular interest."

(2) "Regular Interest" shall mean interest at four per centum per annum, compounded annually.

"Accumulated deductions."

(3) "Accumulated deductions" shall mean the sum of all the amounts, deducted from the compensation of a member or contributed by him, standing to the credit of his individual account in the annuity savings fund, together with regular interest thereon.

"Final compensation."

(4) "Final Compensation" shall mean the average annual compensation, not exceeding four thousand five hundred dollars per annum, earnable by a member for the five years immediately preceding his retirement.

"Beneficiary."

(5) "Beneficiary" shall mean any person in receipt of a retirement allowance or other benefit as provided in this act.

"Pension."

(6) "Pension" shall mean payments for life derived from appropriations made by the State as provided in this act.

"Annuity."

(7) "Annuity" shall mean payments for life derived from contributions made by a member as provided in this act.

"Retirement allowance."

(8) "Retirement Allowance" shall mean the pension plus the annuity.

"Pension reserve."

(9) "Pension Reserve" shall mean the present value of all payments to be made on account of any pension, or benefit in lieu of any pension, granted under the provisions of this act, computed upon the basis of such mortality tables as shall be adopted by the board of trustees with regular interest.

(10) "Annuity Reserve" shall mean the present value of all payments to be made on account of any annuity, or benefit in lieu of any annuity, granted under the provisions of this act, computed upon the basis of such mortality tables as shall be adopted by the board of trustees, with regular interest.

"Annuity reserve."

(11) "Fiscal Year" shall mean any year commencing with the first day of July and ending with the thirtieth day of June next following.

"Fiscal year."

#### DATE OF ESTABLISHMENT.

Section 1. The retirement system shall be established on the first day of January, nineteen hundred and twenty-two.

When established.

#### MEMBERSHIP OF RETIREMENT SYSTEM.

Section 2. Except as otherwise provided by section twelve of this act, the membership of the retirement system shall consist (a) of all persons hereafter appointed who shall complete six months of service for the State, (b) of all persons hereafter appointed who shall before they complete six months of service file with the board of trustees a statement electing to become a member and consenting to the deductions for annuity purposes prescribed by this act, and (c) of all persons now gainfully employed by the State who shall, within one year after the establishment of the system file with the board of trustees a statement electing to become a member and consenting to the deductions for annuity purposes prescribed in this act; provided that the board of trustees may, in its discretion, extend the period in which employees now gainfully employed by the State may file a statement electing to become members to a period not exceeding five years from the date of establishment of the retirement system, and it may deny the right to become members to any class of elected officials or to any class of persons not within the classified civil service, or to any class of persons whose compensation is only partly paid by the State, or it may, in its discretion, make optional with persons in any such class their individual entrance into membership. But employees of the State who come, or

How membership composed.

Proviso.

Other members.

Membership to cease.	<p>who may elect to come, within the provisions of any other retirement system supported wholly or partly by the State of New Jersey shall not be eligible to membership in this retirement system. Membership of any person in the retirement system shall cease if, in any four-year period which shall elapse after his last becoming a member, he shall render to the State less than two years of service, but not otherwise except as provided in this act.</p>
Information to be furnished.	<p>The head of a department employing a member shall submit to the board of trustees a statement showing the name, title, compensation, duties, date of birth and length of service of the said member and such other information as the board of trustees may require. If the said member be engaged upon duties differing from those specified by the State Civil Service Commission for the title held by said member, the said head of department shall certify the reasons therefor and the probable duration of duties by said member differing from those specified by the State Civil Service Commission for the title held by the said member. The board of trustees shall then classify the member in one of the following groups:</p>
Classification of members:	<p>Group 1. Employees engaged upon duties requiring principally physical exertion.</p>
Physical workers;	<p>Group 2. Clerks, administrative and technical workers engaged upon duties requiring principally mental exertion; or in any other group which, on the basis of mortality or service experience, may be recommended by the actuary and established by the board of trustees, and shall certify to the said member the group in which he has been placed and the date of his admission to membership therein.</p>
Mental workers.	<p>Upon being classified in one of the foregoing groups, the member shall be subject to all the provisions of this act and to all the rules and regulations adopted by the board of trustees applying to the said group until retirement or until the date prior thereto upon which said member shall have been transferred to another group by the said board.</p>
Members to be subject to act.	<p>When the board of trustees, upon investigation, finds that the duties of a member so require, the said board</p>
Reclassification.	

may classify him in another group and transfer him thereto, and shall thereupon certify to him the group to which he has been transferred and the date of his transfer thereto.

## BOARD OF TRUSTEES.

Section 3. (1) The general administration and responsibility for the proper operation of the State Employees' Retirement System and for making effective the provisions of this act is hereby vested in the board of trustees. Subject to the limitations of this act and the limitations of law, the said board shall, from time to time, establish rules and regulations for the administration and transaction of its business and for the control of the funds created by this act, and shall perform such other functions as are required for the execution of the provisions of this act. The membership of the board shall consist of the following:

Board of trustees,

How composed:

(a) Two trustees appointed by the Governor of the State of New Jersey, who shall serve until their successors are appointed.

State representatives;

(b) The Treasurer of the State of New Jersey.

(c) Two trustees elected from among the members, one to serve for one year and one to serve for two years. The first two member trustees shall be elected in a manner prescribed by the State Treasurer and the two trustees appointed by the Governor. Their successors shall be elected for a term of three years from among the members in a manner to be prescribed by the board of trustees.

Members' representatives.

A vacancy occurring during a term shall be filled for the unexpired term by the appointment of a successor in the same manner as his predecessor. Until the election of two trustees from among the members, the two trustees appointed by the Governor with the State Treasurer are empowered to perform the duties of the board of trustees.

Vacancies.

(2) Each member of the board of trustees created by this act upon appointment or election shall take an oath of office that, so far as it devolves upon him, he will diligently and honestly administer the affairs of the said board and that he will not knowingly violate or

Oath by trustees

willfully permit to be violated any of the provisions of law applicable to this act. Such oath shall be subscribed to by the member making it, and certified by the officer before whom it is taken, and shall be immediately filed in the office of the Secretary of State.

Voting.

(3) Each trustee on the board shall be entitled to one vote in the board and a majority of all of the votes of the entire board shall be necessary for a decision by the trustees at a meeting of said board. The board of trustees created by this act shall keep a record of all of its proceedings which shall be open to public inspection.

No compensation; expenses met.

(4) The members on the board of trustees shall serve without compensation but shall be reimbursed from the expense fund for any necessary expenditures, and no employee shall suffer loss of salary or wages through serving on the board of trustees. The compensation of all persons employed by the board of trustees shall be fixed by the said board subject to the approval of the Legislature of the State of New Jersey.

Officers.

(5) The board of trustees shall elect from its membership a chairman and shall appoint, subject to the provisions of the Civil Service law, a secretary, an actuary, and such other technical and administrative employees as may be necessary for the transaction of the business of the retirement system.

Actuarial information.

(6) The actuary appointed by the board shall recommend, and the board of trustees shall keep in convenient form, such data as shall be necessary for actuarial valuation of the various funds created by this act. In the years nineteen hundred twenty-four and nineteen hundred twenty-seven and once in every five-year period thereafter the actuary of the board of trustees shall make an actuarial investigation into the mortality, service and compensation or salary experience of the members and beneficiaries as defined in this act, and shall make a valuation of the assets and liabilities of the various funds created by this act, and upon the basis of such investigation and valuation the board of trustees shall

Investigation.

Tables adopted.

(a) Adopt for the retirement system such mortality, service and other tables as shall be deemed necessary:

Rates of deduction.

(b) Certify the rates of deduction from compensation computed to be necessary to pay the annuities authorized under the provisions of this act, and

(c) Certify the rates of contribution, expressed as a proportion of the compensation of members of various ages, which shall be made by the State of New Jersey to the contingent reserve fund.

Rates of contributions.

Immediately after his appointment, the actuary of the board of trustees shall, on the authorization of the board of trustees, make such investigation of the mortality, service and compensation experience of the employees of the State of New Jersey as may be necessary for the purpose of determining upon the proper tables to be prepared and submitted to the retirement board for adoption. On the basis of such investigation and recommendation the board of trustees shall adopt such tables and certify such rates as are required in subsections (a), (b) and (c) of this paragraph. On the basis of such tables as the board of trustees shall adopt, the actuary, within one year after the establishment of the retirement system, shall make a valuation of the assets and liabilities of the funds created by this act.

Immediate investigation by actuary.

Tables adopted.

Valuation of fund.

The actuary shall be the technical advisor of the board on matters regarding the operation of the funds created by the provisions of this act and shall perform such other duties as are required in connection therewith.

Technical advisor.

(7) For the purpose of this act the retirement system shall possess the powers and privileges of a corporation. The Attorney-General of the State of New Jersey shall be the legal advisor of the retirement system.

Powers of a corporation.

(8) The board of trustees shall publish annually a report showing a valuation of the assets and liabilities of the funds created by this act and certifying as to the accumulated cash and securities of the funds, and setting forth such other facts, recommendations and data as may be of use in the advancement of knowledge concerning employees' pensions and annuities. The said board shall submit said report to the Governor of the State of New Jersey and shall furnish a copy thereof to the officers of each State department for use of the employees and the public.

Annual report.

## MANAGEMENT OF FUNDS.

Management:  
Trustees;

Section 4. The funds created by this act shall be managed as follows:

(1) The members of the board of trustees shall be the trustees of the several funds created by this act, and shall have full power to invest the same, subject to all the terms, conditions, limitations and restrictions imposed by this act upon the making of investments and subject also to the terms, conditions, limitations and restrictions imposed by all upon savings banks in the making and disposing of their investments, and, subject to like terms, conditions, limitations and restrictions, said trustees shall have full power to hold, purchase, sell, assign, transfer or dispose of any of the securities and investments in which any of the funds created by this act shall have been invested as well as of the proceeds of said investments and any moneys belonging to said funds.

Interest;

(2) The board of trustees shall annually allow regular interest on the mean amount for the preceding year in each of the funds, with the exception of the expense fund created in accordance with the provisions of this act. The amount so allowed shall be due and payable to said funds, and shall be annually credited thereto by the board of trustees.

Custodian  
of fund;

(3) The Treasurer of the State of New Jersey shall be the custodian of the several funds created by this act. All payments from said funds shall be made by him only upon voucher signed by the chairman and countersigned by the secretary of the board of trustees. No voucher shall be drawn, except upon the authority of the board of trustees, duly entered in the record of its proceedings.

Available  
fund;

(4) For the purpose of meeting disbursements for pensions, annuities and other payments, there may be kept an available fund, not exceeding ten per centum of the total amount in the several funds created by this act, on deposit in any bank in this State, organized under the laws thereof, or under the laws of the United States, or in any trust company incorporated by any law of this State: *provided*, said bank or trust company

Proviso.

shall furnish adequate security for said funds, and provided that the sum deposited in any one bank or trust company shall not exceed twenty-five per centum of the paid-up capital and surplus of said bank or trust company.

(5) Except as herein provided, no trustee and no employee of the board shall have any interest, direct or indirect, in the gains or profits of any investment made by the retirement board, nor as such directly or indirectly, receive any pay or emolument for his services. And no trustee or employee of the board, directly or indirectly, for himself or as an agent or partner of others, shall borrow any of its funds or deposits, or in any manner use the same, except to make such current and necessary payments as are authorized by the board of trustees, nor shall any trustee or employee of the board become an endorser or surety or become in any manner an obliger for moneys loaned by or borrowed of the board of trustees.

Not interested  
in fund.

Not use  
fund.

#### COLLECTION OF CONTRIBUTIONS.

Section 5. (1) Each State department and each branch of the State service not included in a department shall keep such records and, from time to time, furnish such information as the board of trustees in the discharge of its duties may require.

Records to  
be kept.

(2) Upon the employment of any person to whom this act may apply, he shall be informed by his employer of his duties and obligations under this act as a condition of his employment. Every employee to whom this act applies shall be deemed to consent and agree to any deductions from his compensation required by this act and to all other provisions of this act. Notwithstanding any other law, rule or regulation affecting the salary, pay, compensation, other perquisites or tenure of any person or persons to whom this act applies, or shall apply, and notwithstanding that the minimum salary, pay, compensation or other perquisites, provided by law for any such person, shall be reduced thereby, payment, less said deductions, shall be a full and complete discharge and acquittance of all claims and de-

Relation of  
new employees  
to fund.

Payment less  
deductions  
complete com-  
pensation.

mands whatsoever for service rendered by such person during the period covered by such payment.

Deductions certified on pay roll.

(3) The head of each department, and of each branch of the State service not included in a department, shall certify to the Treasurer of the State of New Jersey on account of each and every pay roll a statement as voucher for the amounts deducted for annuity purposes, as provided in this act, and shall send a duplicate of such statement to the secretary of the board of trustees.

Deductions turned into fund.

The Treasurer of the State of New Jersey shall pay each of such amounts so deducted into the annuity savings fund, and he shall transmit to the secretary of the board of trustees monthly, or at such less frequent intervals as the retirement board shall designate, a detailed statement of all amounts so paid in and credited by him to the annuity savings fund. The secretary of the board of trustees shall cause each of such amounts so deducted to be credited in the annuity savings fund, together with regular interest, to an individual account of the member from whose compensation the deduction was made.

Individual accounts.

#### FUNDS.

Various funds:

Section 6. The funds hereby created are the expense fund, the contingent reserve fund, the pension reserve fund, the annuity savings fund and the annuity reserve fund.

Expense fund;

(1) The expense fund shall be the fund through which shall be paid the expense of the administration of this act, exclusive of amounts payable as retirement allowances and as other benefits provided in this act. The board of trustees shall estimate, and shall certify, annually, to the Governor of the State of New Jersey the amount required to defray such expense in the ensuing fiscal year, and the State of New Jersey shall pay into the expense fund the amount so determined.

Contingent fund;

(2) The contingent reserve fund shall be the fund in which shall be accumulated the reserves necessary to pay all pension and all death benefits allowable, which are provided by the State of New Jersey.

Amount of contribution;

(a) Upon the basis of such mortality and other tables as the board of trustees shall adopt, and regular inter-

est, the actuary of the board of trustees shall compute the amount of contribution, expressed as a proportion of the compensation paid to each employee, which, if paid monthly during the entire prospective service of the employee, will be sufficient to provide for the pension reserve required at the time of his discontinuance of active service to cover the pensions to which he is entitled or which are payable on his account because of service as a member and to provide for the amount of the death benefits payable on his account by the State. Such proportion of salary shall be computed to remain constant during his prospective active service.

(b) Upon the basis of such tables as the board of trustees shall adopt, and regular interest, the actuary of the board of trustees shall compute annually the amount of the liability which has accrued by reason of allowances granted, or to be granted, on account of services rendered by members prior to the establishment of the retiring system, which has not already been covered by State Accrued Liability Contributions. Using the total amount of this liability remaining on account of all members in the fund as a basis, he shall further compute the amount of the flat annual payment, which, if paid in each succeeding fiscal year to and including the year nineteen hundred and forty-six, will provide for this ability. This annual payment shall be known as the State Accrued Liability Contribution.

(c) The board of trustees shall estimate and certify annually the aggregate amount payable to the contingent reserve fund in the ensuing year, which amount shall be equivalent to the sum of the proportions of the earnable compensation of all members computed, as described in paragraph (a) of this subdivision and of the State's Accrued Liability Contribution, payable in the ensuing fiscal year, as described in paragraph (b) of this subdivision; and the State of New Jersey shall pay into the contingent reserve fund during such ensuing year the amount so determined. The cash death benefits, payable as a result of contribution by the State under the provisions of this act upon the accidental death of a member in active service, shall be paid from the said contingent reserve fund.

Liability  
accrued;

Flat annual  
payment;

Aggregate  
amount pay-  
able to con-  
tingent re-  
serve fund;

Pension re- serve fund;	(3) The pension reserve fund shall be the fund from which shall be paid all pensions, and all benefits in lieu of pensions. Upon the retirement of a member, or upon his death in the performance of duty, an amount equal to the pension reserve for the pension payable by the State shall be transferred to said fund from the contingent reserve fund. Should the pension of a member who has been retired be subsequently canceled, his pension reserve shall thereupon be transferred from the pension reserve fund to the contingent reserve fund.
If pension canceled.	Should the pension of a disability beneficiary be reduced as a result of an increase in his earning capacity, the amount of the annual reduction in his pension shall be paid annually into the contingent reserve fund during the period of such reduction.
If pension reduced.	(4) The annuity savings fund shall be the fund in which shall be accumulated deductions from the compensation of members to provide for their annuities and their withdrawal allowances. Upon the basis of such tables as the board of trustees shall adopt, and regular interest, the actuary of the board of trustees shall determine for each member the proportion of compensation, which, when deducted from each payment of his prospective earnable compensation prior to his eligibility for service retirement and accumulated at regular interest until his attainment of age sixty, shall be computed to be sufficient to provide, at that time, an annuity equal to the pension then allowable by the State for service as a member after the establishment of the retirement system. Such proportion of salary shall be computed to remain constant until he attains the age of sixty years.
Annuity sav- ings fund;	The proportion so computed for a member entering at age fifty-nine shall be applied to any member who has attained a greater age before entrance into the retirement system.
Computa- tion.	The board of trustees shall certify to the head of each State department, and to the head of each branch of the State service not included in a State Department, and the said head of each such department or branch shall deduct from the compensation of each member on each and every payroll of such member for each and
Entering at 59.	
Deduction from pay roll.	

every payroll period subsequent to the date upon which such certification becomes effective, the proportion of his earnable compensation so computed. But the board of trustees shall not certify, nor shall the head of any department make, any deduction for annuity purposes from the compensation of a member who has attained age sixty and completed thirty-five years of service, if such member elects not to contribute. In determining the amount earnable by a member in a payroll period, the board of trustees may consider the rate of compensation payable to such member on the first day of the payroll period as continuing throughout such payroll period, and it may omit deductions from compensation for any period less than a full payroll period, if an employee was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required by any member by such an amount as shall not exceed one-tenth of one per centum of the compensation upon the basis of which said deduction is to be made.

If member  
does not  
elect.

Amount  
earnable.

In addition to the deductions from compensation hereinbefore provided, any member may redeposit in the annuity savings fund by a single payment an amount equal to the total amount which he withdrew previously therefrom, as provided in this act, or he may deposit therein by a single payment an amount computed to be sufficient, together with his prospective retirement allowance otherwise provided, to provide for him a total retirement allowance of one-half of his final compensation at age sixty. Such additional amounts so deposited shall become a part of his accumulated deductions.

Redeposit  
by member.

The accumulated deductions of a member withdrawn, as provided in this act, shall be paid out of the annuity savings fund.

Payments  
from annuity  
savings fund.

(5) The annuity reserve fund shall be the fund from which shall be paid all annuities and all benefits in lieu of annuities, payable as provided in this act. Upon the retirement of a member, his accumulated deductions shall be transferred to said fund from the annuity savings fund.

Annuity re-  
serve fund.

## STATE GUARANTY.

Obligations  
of State.

Section 7. Regular interest charges payable, the creation and maintenance of reserves in the contingent reserve fund and the maintenance of annuity reserves and pension reserves as provided for in this act and the payment of all retirement allowances and other benefits granted by the board of trustees under the provisions of this act are hereby made obligations of the State of New Jersey. All income, interest and dividends derived from deposits and investment authorized by this act shall be used for the payment of the said obligations of the State of New Jersey. Upon the basis of each actuarial determination and appraisal provided for in this act, the board of trustees shall prepare and submit to the Governor in each year an itemized estimate of the amounts necessary to be appropriated by the State of New Jersey to the various funds to provide for payment in full during the ensuing fiscal year of the obligations of said State accruing during such year. It shall be the duty of the Legislature of the State of New Jersey to make an appropriation which shall be sufficient to provide for such obligations of the State of New Jersey, and the amounts so appropriated shall be paid into the various funds created by this act. For the fiscal year beginning July first, in the year nineteen hundred twenty-one, there is hereby appropriated to the expense fund created by paragraph (1) of section six of this act such sum not to exceed ten thousand dollars as shall be certified to the State Treasurer by the board of trustees as necessary to meet the expense of establishing the retirement system constituted by the provisions of this act, and there is further appropriated such amount as may be required for the payments as provided in this act to the contingent reserve fund for the period included within the last-mentioned fiscal year.

Basis of  
State's approp-  
riation.

Appropriation  
for ex-  
penses.

## SERVICE CREDITABLE TOWARD ALLOWANCES.

Statement  
of prior  
services.

Section 8. Under such rules and regulations as the board of trustees shall adopt, each member who was gainfully employed by the State during the year pre-

ceding the date of establishment of this retirement system, shall file, immediately after becoming a member, with the board of trustees a detailed statement of all service rendered to the State prior to the date of establishment of the retirement system for which he claims credit. As soon as practicable thereafter, the board of trustees shall verify such statement and shall issue to him a prior-service certificate certifying to the aggregate length of such service allowable for retirement purposes. Such certificate shall be final and conclusive for retirement purposes as to such service, unless thereafter modified by the board of trustees upon application made by the member within one year, or upon its own initiative within one year after the date of issuance of prior-service certificate or modified prior-service certificate by the board of trustees, or unless, in any four-year period which shall elapse subsequent thereto, the member to whom such a certificate was issued fails to render to the State two additional years of service; in the latter case such certificate shall be void. In computing for retirement purposes the total service of a member about to be retired, the board of trustees shall credit such member with the time of all service rendered by him to the State since he last became a member, and, in addition, if his prior-service certificate is in full force and effect, with all the service certified on such certificate, and with no other service. For the purpose of computing service for retirement purposes, the board of trustees shall fix and determine by appropriate rules and regulations how much service in any year shall be equivalent of a year of service and of parts of a year of service; but not more than one year shall be credited for all service in any calendar year, nor in computing such service or in computing final compensation, shall any time be credited during which a member was absent on leave without pay unless such service was allowed for retirement purposes, at the time said leave of absence was granted, both by the head of the department, or other branch of the State service not included in a department in which the said member was employed, and the board of trustees.

Certificate of services.

Effect of certificate.

Services credited.

Rules and regulations as to service.

## WITHDRAWAL AND DEATH ALLOWANCES.

Section 9. A member who withdraws from service or ceases to be an employee for any cause other than death or retirement shall receive all or such part as he may demand of the accumulated deductions standing to the credit of his individual account in the annuity savings fund. He shall cease to be a member two years from the date he discontinued service as an employee or, if prior thereto, upon the date when payment to him on demand of his accumulated deductions shall exceed one-quarter of such accumulated deductions. But the board of trustees may, in its discretion, withhold, for not more than one year after a member ceases to be an employee, all or part of his accumulated deductions, if he previously withdrew from the annuity savings fund all or part of his accumulated deductions and failed to redeposit such amount to the credit of his individual account in such fund.

Should a contributor die before retirement his accumulated deductions shall be paid to his estate or to such person as he shall have nominated by written designation duly executed and filed with the board of trustees.

Withdrawal:  
amount re-  
ceived.

Amount  
withheld.

Payment  
at death.

## ORDINARY DISABILITY RETIREMENT.

Section 10. Retirement of a member for ordinary disability shall be made by the board of trustees upon the application of the head of the department in which a member is employed, or upon the application of a member or of one acting in his behalf, on a regular disability allowance if he is under the age of sixty years and on a service allowance if he has attained or passed such age; *provided*, the physician or physicians designated by said board, after a medical examination of said member made at the place of residence of said member or other place mutually agreed upon, shall certify to the board of trustees that said member is physically or mentally incapacitated for the performance of duty and that said member ought to be retired; *and further provided*, that the said mem-

Retirement  
for disability.

Proviso.

Proviso.

ber was an employee in each of the ten years next preceding his retirement.

ACCIDENT DISABILITY RETIREMENT.

Section 11. Retirement of a member for accident disability shall be made by the board of trustees upon the application of the head of the department in which a member is employed, or upon the application of a member or of one acting in his behalf, on an accident disability allowance; *provided*, the physician or physicians designated by said board, after a medical examination of said member made at the place of residence of said member or other place mutually agreed upon, shall certify to the board of trustees that said member is physically or mentally incapacitated for the performance of duty, that the performance of duty was the natural and proximate cause of such disability and that said member should be retired; and shall also certify the time and place where such duty causing the disability was performed and that such disability was not the result of willful negligence on the part of said member.

Retirement  
for accident.

Proviso;  
medical ex-  
amination.

SAFEGUARD ON DISABILITY RETIREMENT.

Section 12. Once each year the board of trustees may, and upon his application shall, require any disability beneficiary who is under the age of sixty years to undergo medical examination by a physician or physicians designated by the board of trustees, said examination to be made at the place of residence of said beneficiary or other place mutually agreed upon. Should such physician or physicians thereupon report and certify to the board of trustees that such disability beneficiary is not totally incapacitated either physically or mentally for the performance of duty and that such disability beneficiary is engaged in or is able to engage in a gainful occupation, and should the board of trustees concur in such report, then the amount of his pension shall be reduced to an amount which, when added to the amount then earnable by him, shall not exceed the amount of his final compensation. Should

Annual ex-  
amination of  
beneficiary.

If member  
able to earn.

Pension  
altered.

- subsequent medical examination of such a beneficiary show that his earning capacity has changed since the date of his last examination, then the amount of his pension may be further altered; *provided*, that the new pension shall not exceed the amount of pension originally granted or an amount which, when added to the amount earnable by the beneficiary, shall not exceed the amount of his final compensation.
- Proviso.**
- Refusal to be examined.** (2) Should any disability beneficiary, while under the age of sixty years, refuse to submit to at least one medical examination in any year by a physician or physicians designated by the board of trustees, his pension shall be discontinued until his withdrawal of such refusal, and should such refusal continue for one year, all his rights in and to such pension shall be forfeited.
- Restoration to service.** (3) Upon application to the head of the department in which he was employed at the time of his retirement, any beneficiary, while under the age of sixty years, may, in the discretion of such head of department, be restored to active service as an employee, any other law to the contrary notwithstanding. But no disability beneficiary entering the employ of the State of New Jersey shall be compelled or permitted to become a member of the State Employees' Retirement System, or to receive any benefits other than those previously awarded to him.

ALLOWANCE ON ORDINARY DISABILITY RETIREMENT.

- Allowances:** Section 13. A member upon retirement for regular disability shall receive a retirement allowance, which shall consist of:
- Annuity;** (a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement; and
- Pension;** (b) A pension, in addition to the annuity, of one-fifth ( $1/5$ ) of his final compensation; *provided*, that the total of such pension shall in no case exceed eight-tenths of the rate of final compensation to which he would have been entitled as service pension on the basis of one one-hundred fortieth ( $1/140$ ) of his final compensation for each year of total service had he remained continuously in service until the age of sixty years; and
- Proviso.**

(c) If such employee received a prior-service certificate, which is still in full force and effect, a further pension of one one-hundred fortieth ( $1/140$ ) of his final compensation for each year of service certified therein. Additional pension.

## ALLOWANCE ON ACCIDENT DISABILITY RETIREMENT.

Section 14. A member upon retirement for accident disability shall receive a retirement allowance which shall consist of: Allowance on accident:

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement; and Annuity;

(b) A pension, in addition to the annuity, of two-thirds ( $2/3$ ) of his final compensation. Pension.

## SERVICE RETIREMENT.

Section 15. Retirement for service shall be as follows: Retirement:

(1) A member who has attained age sixty may retire from service by filing with the board of trustees a written statement, duly attested, setting forth at what time subsequent to the execution and filing thereof he desires to be retired. The board of trustees shall retire said member at the time specified or at such other time within thirty days after the date so specified as the board of trustees may find advisable. When 60 years of age.

(2) Each and every member who has attained or shall attain age seventy shall be retired by the board of trustees for service forthwith, or at such time within ninety days thereafter as it shall deem advisable. Compulsory retirement at 70 years of age.

## ALLOWANCE ON SERVICE RETIREMENT.

Section 16. A member upon retirement for service shall receive a retirement allowance which shall consist of: Allowance on service retirement:

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement; and Annuity;

(b) A pension in addition to the annuity of one one-hundred fortieth ( $1/140$ ) of his final compensation for each year of total service; and Pension;

Further  
pension.

(c) If such employee received a prior-service certificate which is still in full force and effect, a further pension of one one-hundred fortieth ( $1/140$ ) of his final compensation for each year of service certified therein.

BENEFIT UPON ACCIDENTAL DEATH.

Accidental  
death.

Proviso.

Proviso.

Section 17. Upon the death of a member in active service in the actual performance of duty, an accident death benefit shall be payable; *provided*, that evidence shall be submitted to the board of trustees proving that the natural and proximate cause of such death was the performance of duty on the part of such member at some definite time and place; and *further provided*, that such death was not the result of wilful negligence on the part of the deceased employee.

ALLOWANCE IN CASE OF ACCIDENTAL DEATH.

Allowance to  
dependents.

Section 18. Upon application by or on behalf of the dependents of such deceased member, the board of trustees, in addition to the payment of his accumulated deductions as provided in section nine of this act, shall grant an allowance of one-half of the final compensation of such employee as a pension to his widow, to continue during her widowhood, or, if no widow, or in case the widow dies or remarries before the youngest child of such deceased member attains age eighteen, then to the child or children of such member under age eighteen, divided in such manner as the board of trustees in its discretion shall determine, to continue until the youngest surviving child dies or attains age eighteen. If there be no widow or child under age eighteen surviving such member, then there shall be paid a cash sum equal to the amount of his final compensation to his estate or to such person having an insurable interest in his life as he shall have nominated by written designation duly acknowledged and filed with the board of trustees.

OPTIONAL BENEFITS.

Members'  
option on  
retirement:

Section 19. At the time of his retirement any member may elect to receive his benefits in a retirement allowance payable throughout life, or he may on retire-

ment elect to receive the actuarial equivalent at that time of his annuity, his pension or his retirement allowance, in a lesser annuity, or a lesser pension, or a lesser retirement allowance, payable throughout life, with the provision that:

Option 1. If he dies before he has received in payments the present value of his annuity, his pension or his retirement allowance as it was at the time of his retirement, the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation acknowledged and filed with the board of trustees at the time of his retirement.

Dying before payments;

Option 2. Upon his death, his annuity, his pension or his retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board of trustees at the time of his retirement.

Continuation in favor of a named person;

Option 3. Upon his death, one-half of his annuity, his pension or retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board of trustees at the time of his retirement.

Continuance to person insured;

Option 4. Some other benefit or benefits shall be paid either to the member or to such other person or persons as he shall nominate, provided such other benefit or benefits, together with lesser annuity, or lesser pension, or lesser retirement allowance, shall be certified by the actuary to be of equivalent actuarial value and shall be approved by the board of trustees.

Other benefits.

Proviso.

#### MONTHLY PAYMENTS.

Section 20. A pension, an annuity or a retirement allowance granted under the provisions of this act shall be paid in equal monthly installments, and shall not be decreased, increased, revoked or repealed except as otherwise provided in this act.

Monthly payments.

## STATE SUPERVISION.

Supervision  
of funds.

Section 21. The various funds created by this act shall be subject to the supervision of the State Department of Insurance.

## EXEMPTION FROM TAXATION.

Exemptions.

Section 22. The right of a person to a pension, an annuity, or a retirement allowance, to the return of contributions, any benefit or right accrued or accruing to any person under the provisions of this act, and the moneys in the various funds created under this act, are hereby exempt from any State or municipal tax, and exempt from levy and sale, garnishment, attachment or any other process whatsoever, and shall be unassignable except as in this act specifically otherwise provided.

## PROTECTION AGAINST FRAUD.

Practicing  
deception.

Section 23. Any person who shall knowingly make any false statement, or shall falsify or permit to be falsified, any record or records of this retirement system in any attempt to defraud such system as a result of such act, shall be guilty of a misdemeanor, and shall be punishable therefor under the laws of the State of New Jersey. Should any change or error in records result in any employee or beneficiary receiving from the retirement system more or less than he would have been entitled to receive had the records been correct, then on the discovery of any such error, the board of trustees shall correct such error and, so far as practicable, shall adjust the payments in such a manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid.

Correcting  
errors.Renouncing  
other pension  
benefits.

Section 24. All employees in the classified civil service of the State who are entitled to receive pensions under the provisions of 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, with amendments thereto and supplements

thereof, and under the provisions of an act entitled "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," approved April first, one thousand nine hundred and twelve, and the acts amendatory thereof and supplemental thereto, or under the provisions of any other law of this State providing for the payment of pensions to State employees may, by written application to the board of trustees created under the provisions of this act, renounce the benefits as therein provided for in the manner prescribed by said board of trustees, and may be admitted to membership in the fund created under this act in the same way and manner as other State employees; and it is *further provided*, that all employees entering the classified service of the State on and after the first day of January, one thousand nine hundred and twenty-two, shall be subject to the provisions of this act.

Admission to  
this fund.

Proviso.

Section 25. 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 March 31, 1921.

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CHAPTER 110.

An Act to amend an act entitled "A further supplement to an act entitled 'An act to provide for the imposition of State taxes upon certain corporations, and for the collection thereof,' approved April eighteenth, one thousand eight hundred and eighty-four," which said further supplement was approved April eighth, one thousand eight hundred and ninety-seven.

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

1. The above entitled act, of which this act is amendatory, be and the same is hereby amended to read as follows:

Section 1  
amended.

**Assessments reviewable.** 1. The officers of any corporation who shall consider the tax levied under the provisions of an act a further supplement to which this act is amendatory, excessive or otherwise unjust may make application to the State Board of Taxes and Assessment at any time before payment for a review of the assessment and a readjustment of the tax; *provided*, there be filed with the State Board a petition of appeal, duly verified according to law, by an officer of such corporation, stating specifically the grounds upon which the appeal is taken and the reasons why the tax is considered excessive or unjust. The State Board of Taxes and Assessment shall thereupon investigate the contentions raised by the said petition of appeal; and for the purpose of such hearing, the officers of said corporation may be summoned to appear before said board, either in person or by attorney, and questioned as to the statements set forth in the said petition of appeal, and they may be required to produce the books of such corporation before said board; if, in the opinion of a majority of the board, it shall appear that the tax so levied as aforesaid is excessive or unjust, they shall thereupon require the officers of the corporation to file with the board a return or corrected return, and upon said return or corrected return the assessment shall be adjusted and the tax reduced or amended as in the opinion of the board shall seem proper; *provided, however*, if such tax shall have been levied upon the full amount of capital stock of the corporation, due to the failure of such corporation to file its annual return, then the said board may impose a penalty of not more than fifty per cent. of the tax so found to be due, in addition to the interest chargeable thereon from the date when the same became originally due.

**Proviso.****Investigation.****Witnesses.****Corrected returns.****Proviso.****Penalty.**

2. This act shall take effect immediately.

Approved March 31, 1921.

## CHAPTER III.

An Act to amend an act entitled, "A supplement to an act entitled 'An act concerning the collection of arrears of taxes in cities of this State,' approved March ninth, one thousand eight hundred and ninety-three" approved April twenty-first, one thousand nine hundred and twenty.

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

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

Section 2  
amended.

2. Where, in any city, there are now assistants to deputy collectors, acting as such for at least one year next preceding the passage of this act, with the knowledge and consent of the receiver of taxes or director of revenue and finance of such city, such assistants shall, from the passage of this act, be deputy collectors of such city, in all respects as if regularly appointed under this act, receive like salaries, and have like duties and powers, and shall be within the classified service of the civil service, and classified therein as deputy collectors regularly appointed are classified. Provided any city of this State may provide by resolution or ordinance for the payment of any deputy collector or assistant deputy collector by fees, commissions or otherwise, instead of by a fixed salary.

Assistants to  
deputy col-  
lectors.

In civil  
service.

Proviso.

3. This act shall take effect immediately.

Approved March 31, 1921.

## CHAPTER 112.

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

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

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:

Licenses:

2. The licenses issued under this act shall be of the following kinds:

Resident's  
license;

First. A license issued to persons who are citizens of the United States above the age of fourteen years and who actually and bona fide reside in this State at the time of the application for such license, and who have actually and bona fide resided in this State for at least one year immediately prior thereto. This license shall be designated as the residents' hunting and fishing license, and shall authorize the holder thereof to hunt and fish. The fee for this license shall be one dollar and fifty cents together with an issuance fee of fifteen cents. This license shall be invalid from the date of its issue, when issued to any person not entitled thereto hereunder.

Fee.

Non-resident  
and aliens'  
license;

Second. A license issued to persons above the age of fourteen years not entitled to a residents' license, authorizing such person to hunt and fish. This license shall be designated as the nonresidents' and aliens' hunting and fishing license. The fee for this license shall be ten dollars, together with an issuance fee of fifty cents.

Fee.

Third. A license issued to any person above the age of fourteen years not entitled to a residents' license, authorizing such person to fish only. This license shall be designated as the nonresidents' and aliens' fishing license. The fee for this license shall be three dollars, together with an issuance fee of twenty-five cents. Every license issued under this act shall be void after the thirty-first day of December next succeeding its issuance.

Fishing only.

Fee.

License void.

2. This act shall take effect January first, nineteen hundred and twenty-two.

Act effective.

Approved March 31, 1921.

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CHAPTER 113.

An Act to amend an act entitled "An act to amend an act entitled 'An act concerning the charitable, correctional, reformatory and penal institutions, boards and commissions, located and conducted in this State, which are supported in whole or in part from county, municipal or State funds,' approved February twenty-eight, one thousand nine hundred and eighteen," which amendment was approved April eleventh, one thousand nine hundred and nineteen.

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

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

Section 32 amended.

501. The price to be paid for keeping any indigent person in any charitable hospital, relief or training institution owned by the State, shall be paid to such State institutions out of the State treasury, except as may otherwise be provided by law. The State House Commission shall fix the rate or rates of per capita payment for State patients in each State institution or

Rates fixed and paid by State.

group of institutions, including the allowance for clothing of State patients, and shall likewise fix the per capita rate or rates to be paid such institutions for the maintenance and clothing of indigent patients in such institutions chargeable to the counties.

Payments.

Statement.

Other rates fixed.

Maintenance and clothing for insane.

Payments shall be made at the rates fixed by the State House Commission, monthly, by the State Treasurer, on the warrant of the Comptroller, to the treasurers or auditors of such institutions. The State House Commission shall likewise fix the rate or rates to be paid by the State to the several counties on behalf of the maintenance of indigent patients in any county institution, which payments shall be made by the State Treasurer on the warrant of the Comptroller to the board of chosen freeholders, upon a statement furnished by such board giving the name and number of such county or State indigent patients who may have been thus supported in such institutions during the preceding month, computing from the first of November. This statement shall set forth the amount, if any, received by the county from any person or persons for or on behalf of the maintenance of any said patients in said county institutions, and in determining the rate or rates to be paid from the State treasury on behalf of such patients, the amount of contribution payable on account of the maintenance of such patients in such county institutions shall be equally divided between the State and the county. The State House Commission shall likewise fix the per capita rate or rates which each county shall pay to the treasurer or auditor of the institutions owned by the State for the maintenance and clothing of each patient therein having a legal settlement in such county. The State House Commission shall likewise fix the rate or rates to be paid for the maintenance and clothing of the convict and criminal insane in any State institution, which rate or rates shall be paid by the State in the case of State patients, and in the case of county patients, the same rate or rates shall be paid, to be divided between the State and county in the proportion of three on the part of the State to two on the part of the county.

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

Approved March 31, 1921.

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CHAPTER 114.

An Act to amend an act entitled "An act concerning counties", approved March fourth, one thousand nine hundred and eighteen.

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

1. Section one hundred and two of the act of which this act is amendatory be and the same is hereby amended so as to read as follows: Section 102 amended.

102. All stated annual meetings of the board of chosen freeholders shall be held at the place of holding the Court of Common Pleas in and for the respective counties at the hour of twelve o'clock noon on the second day of January, annually, unless said second day of January shall fall upon a Sunday, in which event said meeting shall be held on the following Monday. Annual meetings.

2. Section five hundred and one of the act of which this act is amendatory be and the same is hereby amended so as to read as follows: Section 501 amended.

501. No officer, board, commission, committee or department, or other branch of any county government, shall enter into any contract for the doing of any work or for the furnishing of any materials, supplies or labor, the hiring of teams or vehicles, where the sum to be expended exceeds the sum of five hundred dollars, unless the said officer, board, commission, committee or department, or other branch of the county government, shall first publicly advertise for bids therefor, and shall award the contract for the same to the lowest responsible bidder; *provided*, this section shall not prevent the Expenditures over \$500 advertised.

Proviso.

Proviso. hiring of teams or doing of work by employees of any county or any department thereof; *and provided, further*, that this section shall not apply to the hiring of labor or equipment for the removal of snow from county roads and bridges during emergency caused by storm; *and provided further*, that this section shall not apply to the purchase of fresh vegetables, dairy products, eggs, live stock and motor vehicles; *and provided further*, that in any county where a department or purchasing agent shall have been established, or elected, said public advertising shall be prepared and bids received, and said awards be made by the purchasing agent, subject to the approval of the board of chosen freeholders of said county; *and provided, further*, if the exigency of any public service will not admit of such advertisement, said work may be done or said materials may be purchased forthwith, provided the board charged with doing or purchasing the same shall first, by a four-fifths vote of all of its members, pass a resolution declaring such exigency to exist, and that the immediate performance of the work and furnishing of any materials will not admit of the ordinary delay in advertising for proposals.

Section 1320 amended. 3. Section thirteen hundred and twenty of the act of which this act is amendatory be and the same is hereby amended so as to read as follows:

Liability during repairs. 1320. Whenever it shall be necessary to repair or rebuild any bridge, culvert or viaduct in this State, the public authorities, corporation or person so repairing or rebuilding such bridge, culvert or viaduct shall not be liable for damages occasioned by obstructing or stopping navigation or traffic; *provided* that said repairs or rebuilding be prosecuted with all possible dispatch; *and provided, further*, that notice of such intended repairs or rebuilding which will result in obstructing or stopping navigation be given at least three days prior to commencing the work, by publishing notice thereof in some newspaper circulating in the county or counties adjacent to such bridge or viaduct.

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

Approved March 31, 1921.

## CHAPTER 115.

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

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

1. Sections one to eight, inclusive, of an act entitled "An act to incorporate religious societies," approved April ninth, one thousand eight hundred and seventy-five, and all supplement alterations in, or amendments thereto, shall be construed to apply to the New Jersey State Association of Spiritualists, an auxiliary of the National Spiritualists' Association incorporated as a religious society under the laws of the District of Columbia, with its various local auxiliaries throughout the State of New Jersey, anything therein to the contrary notwithstanding.

Act extended  
to Association  
of Spiritual-  
ists.

2. This act shall take effect immediately.  
Approved March 31, 1921.

## CHAPTER 116.

An Act to authorize the sale and assignment by any city of this State of certificates of tax sale.

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

1. Whenever any city of this State shall have heretofore purchased any lands sold for arrears of taxes or assessments or other municipal liens or charges and

Sale and  
assignment  
of tax cer-  
tificates.

the title to such lands remains unperfected for more than twenty-five years after the purchase thereof, it shall be lawful for the board or body having charge of the finances in such city to sell and assign such certificate of sale and all rights thereunder for such amount as in its discretion may seem fair and adequate; *provided, however*, that such sale shall not be for less than the assessed value of the lands in the year preceding the sale of such certificate. Such sale may be either public or private, at the discretion of such board.

Proviso.

2. This act shall take effect immediately.

Approved March 31, 1921.

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#### CHAPTER 117.

An Act to make possible the expedition of the work in the offices of registers of deeds and mortgages in counties of the first class, and to enable the boards of chosen freeholders in said counties to finance the same.

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

Expenditure  
to complete  
delayed  
recording.

1. Whenever the office of the register of deeds and mortgages in any county of the first class in this State is behind in its work, and such office shows an excess of revenue received during the previous fiscal year over salaries and compensation paid for work performed during that year, it shall be lawful for the board of chosen freeholders in such county to appropriate a sum equal to all or part of such excess of revenue to pay the salaries or compensation of those employed in any such office to make up such work.

Emergency  
notes.

2. In case any county shall be without funds to meet such appropriation the board of chosen freeholders of any such county may issue emergency notes or bonds in accordance with the terms of an act entitled

"An act concerning municipal and county finances," approved March twenty-eighth, one thousand nine hundred and seventeen, and the amendments thereof and supplements thereto.

3. This act shall take effect immediately and be in force until January first, one thousand nine hundred and twenty-two. When in force.

Approved March 31, 1921.

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### CHAPTER 118.

An Act to incorporate the borough of Pompton, in the county of Morris.

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

1. The inhabitants of that portion of the township of Pequannock, in the county of Morris, 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 Pompton, and shall be governed by the general laws of the State relating to boroughs. Corporate name.

2. The territorial limits of said borough shall be as follows: Boundaries of proposed borough.

Beginning in the middle of Pequannock river where the same is intersected by the easterly line of the borough of Butler, from thence running southerly along said easterly line, the various courses thereof, to the southeasterly corner of said borough; thence westerly along the southerly line of said borough to its intersection with a wood road; thence along said wood road the various courses thereof to its intersection with Cotlus road near where the same is crossed by the East Jersey water pipe line; thence southerly on nearly a true meridian line to a point in the middle of the Jacksonville road, one thousand feet west of the middle of

said Jacksonville road and its junction with the middle of the Bog and Fly road to Jacksonville; thence easterly along the middle of said Jacksonville road to its junction with the said Bog and Fly road; and thence still easterly along the middle of said Bog and Fly road to Jacksonville, the various courses thereof, to the middle of the road known as the Boulevard; thence still easterly along the center line of the Bog and Fly road as the same is laid out between the said Boulevard and the Pompton turnpike, and continuing the same direction to the middle of the Pompton river; thence northerly along the middle of the Pompton river, the various courses thereof to its junction with the Pequannock river, and thence northerly and westerly along the middle of the Pequannock river, the various courses thereof, to the place of beginning.

**Referendum.** 3. This act shall take effect immediately, but shall not operate to affect the incorporation of the territory above described as a borough until it shall have been accepted by a majority vote of the qualified voters residing in the above-described territory at the general election to be held therein in November, nineteen hundred and twenty-one.

**Duties of clerk and election board.** 4. The clerk of the township and the county board of election shall perform the same services in submitting this question to the qualified voters residing in the above-described territory as provided for in the laws governing the general election, and the said county board of elections shall also provide the necessary ballots to be voted at such election, upon which shall be printed the proposition with instructions to the voters in the following form:

**Proposition submitted.** If you favor the proposition printed below, make an X mark in the square to the left of and opposite the word "Yes", if you are opposed thereto, make an X mark in the square to the left of and opposite the word "No".

	Yes.	Shall an act entitled "An act to incorporate the borough of Pompton, in the county of Morris," be adopted?
	No.	

If the voter makes an  $\times$  mark in black ink or black pencil in the square to the left of and opposite the word "Yes," it may be counted as a vote in favor of such proposition.

Marking  
ballot.

If the voter shall make an  $\times$  mark in black ink or black pencil in the square to the left of and opposite the word "No", it may be counted as a vote against such proposition, and in case no mark shall be made in the square to the left of and opposite either the word "Yes" or "No", it shall not be counted as a vote either for or against such proposition.

The officers holding said election in each of said election districts shall immediately at its close certify in writing, under their hands in duplicate, the result thereof; one of which certificates shall be filed forthwith with the clerk of the township of Pequannock and one with the clerk of the county of Morris. The county board of elections shall proceed to canvass and determine the vote cast at said election at the time and in the manner provided by law, and a statement of the total result of said canvass shall be filed in the county clerk's office, and the county clerk shall thereupon forward to the Secretary of State and the clerk of the township of Pequannock, respectively, a certified copy of such statement.

Result certified  
and filed.

Canvass.

Statement  
filed.

Approved March 31, 1921.

## CHAPTER 119.

An Act to annex to the borough of Ramsey, in the county of Bergen, a part of the borough of Walwick, in the county of Bergen.

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

Description  
of part of  
borough of  
Walwick  
annexed to  
borough of  
Ramsey.

1. All that part of the borough of Walwick, in the county of Bergen, formerly the township of Orvil, in the county of Bergen, lying within the following described boundary to wit:

Beginning at a point in the northerly boundary line of the borough of Allendale in the county of Bergen, and in the southerly boundary line of said borough of Ramsey, and in the middle of the public road leading from the Franklin turnpike at the gate house hill in the borough of Allendale to the residence formerly of Henry A. Winter, in the borough of Ramsey, known as Hillside avenue and running from thence (1) along the said northerly boundary line of the borough of Allendale south fifty-three degrees and thirty minutes east to the westerly boundary line of the borough of Saddle River in the county of Bergen; thence (2) along the same and the westerly boundary line of the borough of Upper Saddle River in the county of Bergen in a northerly direction to the center line of Lake street and the easterly boundary line of the borough of Ramsey; thence (3) along the easterly boundary line of the borough of Ramsey, being the center lines of Lake street and Hillside avenue in a westerly and southerly direction to the place of beginning, is hereby set off from the borough of Walwick, in the county of Bergen and annexed to and made a part of the borough of Ramsey in the county of Bergen.

2. This act shall take effect immediately.

Approved March 31, 1921.

## CHAPTER 120.

An Act to amend an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township, or any municipality governed by an improvement commission", approved March twenty-second, one thousand nine hundred and sixteen, constituting chapter 252 of the Laws of 1916, as amended.

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 is hereby amended to read as follows: Section 13 amended.

13. Any municipality may temporarily finance the carrying out of any purpose for which it is herein authorized to issue bonds (including the payment of interest accruing during the construction period as defined in section fourteen) by borrowing money and issuing from time to time temporary notes or temporary bonds, which shall state in general terms the purpose for which they are issued, and may from time to time renew the same. Such notes or bonds may be payable on demand or may mature in not exceeding six years from the date when the purpose for which they are issued has been carried out and may be subject to earlier call for payment, shall bear interest at not exceeding six per centum per annum, and shall be executed as herein provided for other bonds or in such other manner as the governing body may provide. Such notes or bonds shall be paid or funded within six years after the purpose for which they are issued has been carried out; *provided*, that in the case of notes or bonds heretofore or hereafter issued for the cost of any property or improvement, any part of the cost of which is to be assessed upon property specially benefited, Temporary obligations.

When payable.

Funding.

Proviso.

Proviso.	wherein the confirmation of the assessments is stayed by legal action, then and in such case the limit of time within which such notes or bonds shall mature, shall date from the time the court renders its final decision; <i>provided</i> , further, that should any municipality have heretofore or hereafter issued any such temporary notes or temporary bonds prior to the issuance of which a debt statement was required to be filed under section twelve and no debt statement was so filed, then and in such case such debt statement may be filed prior to the adoption of the ordinance authorizing the permanent serial bonds to fund such temporary notes or temporary bonds.
Rate.	Such notes or bonds shall be authorized by ordinance (except in the case of counties) which shall fix the maximum rate of interest thereon. The other matters in respect thereof may be left to be determined by subsequent resolution or by the officials executing them or by a financial official. Such notes or bonds shall not be subject to the provisions of any other section hereof, except section twelve and section fourteen and section fifteen.
Sections of act applicable.	
Amount of temporary notes and purpose.	Prior to the adoption of the annual budget in each year, the financial official of the municipality or county shall certify the amount of temporary notes or temporary bonds outstanding exclusive of the amount thereof outstanding on account of (a) improvements which have not been completed (b) improvements for which assessments are to be levied on property specially benefited and (c) the part of the cost of improvements which has been assessed on property specially benefited.
Amount raised annually.	There shall be raised each year by appropriation in the budget an amount not less than three per centum of the principal of such temporary notes or bonds so certified to be outstanding. Such appropriation shall be used for no other purpose than for the payment of the principal of such outstanding temporary notes or bonds; <i>provided</i> , that if the funds so raised cannot be applied to the retirement of the temporary notes or bonds for which such fund is raised during the current year, then such fund or the unused portion thereof shall
Use.	
Proviso.	

be turned over to the sinking fund of the municipality; *provided*, that in municipalities where no sinking fund commission exists, such funds shall be held as a reserve fund by the treasurer of the municipality for the purposes herein expressed, but in no case shall it be converted into surplus revenue of the municipality until after all temporary notes or bonds have been paid.

Proviso.

It is the intention of this act that temporary notes or temporary bonds may be issued without the previous authorization of the permanent serial bonds provided for in other sections of this act, or may be issued after the previous authorization of the said permanent serial bonds. In the latter case, in order to provide for the funding of the temporary notes or temporary bonds as they mature, a new ordinance may be adopted authorizing permanent serial bonds which will supersede or amend the original ordinance authorizing such permanent serial bonds. Such new ordinance shall be subject to all terms and provisions hereof applicable to any similar ordinance authorizing permanent serial bonds.

Issued without previous authorization.

Ordinance adopted.

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

Section 14 amended.

14. This act shall be construed as follows:

Act construed.

(a) In any case in which a municipality shall have applied or shall hereafter apply funds on hand, applicable to some other account, for the purpose of avoiding the necessity of borrowing at a time when funds are on hand, to a use for which bonds may be issued and such application shall hereafter be authorized by a resolution stating such purpose, then within the meaning of this act such application shall be deemed a temporary indebtedness owing to the account to which such funds were applicable.

Temporary indebtedness explained.

(b) Interest accruing during the construction period, that is to say the time when an improvement is under construction and six months thereafter, shall be deemed part of the cost of the improvement, and shall not be deemed current expenses.

Interest.

(c) All engineering and inspection costs, including a proper proportion of the compensation, salaries and expenses of engineering staff of the municipality, prop-

Costs of improvement.

erly chargeable to any improvement as determined by the governing body or the estimated amount of such costs, shall be deemed part of the cost of an improvement. All costs and estimated costs of the issuance of bonds shall be deemed part of the cost of the improvement of the property or the carrying out of the purposes for which bonds are to be issued.

Outstanding  
debt.

(d) Any form of evidence of debt held uncanceled in any sinking fund shall, for the purposes of this act, be deemed outstanding.

Bonds.

(e) Bonds issued to fund any form of temporary indebtedness shall, for the purpose of this act, be deemed issued for the purpose or purposes for which such temporary indebtedness was incurred if such purpose or purposes can be ascertained. The determination of the governing body as to the purposes for which any temporary indebtedness was incurred shall be conclusive for the purposes of this act.

Bonds to  
pay outside  
municipality.

(f) Bonds issued for the purpose of raising money to be paid to another corporation or to a board or body not part of the government of the municipality shall be deemed issued for the purpose or purposes to which such money is to be applied by such other corporation, board or body.

Assessed  
valuation of  
taxable real  
property.

(g) The term "assessed valuation of taxable real property (including improvements)," as used herein, includes the assessed valuation of property within such municipality used for railroad or canal purposes of railroad and canal companies (generally known as second class railroad property) the taxes upon which are appropriated by law to the taxing district which such municipality constituted, or in the case of a county the total assessed valuations of such property within the several taxing districts of said county.

Validity of  
proceedings.

(h) The power to issue notes or bonds under this act shall not be dependent on nor affected by the validity or regularity of any proceedings relating to the authorization of the improvement, or the acquisition of the property or the purpose for which such notes or bonds are to be issued.

No refund.

(i) No bonds issued under this act shall be refunded.

(j) The authorization of bonds or the authorization of temporary notes or temporary bonds shall be deemed an appropriation for the purposes for which said bonds or temporary notes or temporary bonds are authorized, and after such appropriation has been made, contracts may be let for amounts within the amounts so appropriated, notwithstanding that the proceeds of sale of said bonds or temporary notes or temporary bonds shall not then be in hand; *provided, however,* that nothing herein contained shall affect any action or proceeding now pending under the act to which this is an amendment, and any such action or proceeding shall be continued as though this act had not been passed.

Authoriza-  
tion deemed  
appropriation.

Proviso.

3. This act shall take effect immediately.

Approved March 31, 1921.

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CHAPTER 121.

An Act validating and confirming purchases of real estate heretofore made by any borough in this State.

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

1. Wherever any borough in this State has heretofore purchased real estate at any judicial sale and such sale shall have been subsequently confirmed by the Court of Chancery, and title to such property so as aforesaid purchased taken in the name of such borough, such purchase and the proceedings in connection therewith are hereby validated and confirmed.

Title vali-  
dated.

2. This act shall take effect immediately.

Approved March 31, 1921.

## CHAPTER 122.

An Act to amend an act entitled "An act providing for the establishment of game refuges by the Board of Fish and Game Commissioners, and for the protection of the game in such refuges," approved March thirty-first, one thousand nine hundred and sixteen.

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

Section 1  
amended.

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

Land for  
game refuges.

1. The Board of Fish and Game Commissioners is hereby authorized to lease by agreement with the owner thereof any lands in this State suitable for game refuges and to exercise control thereof during the term named in such lease. Such board is also authorized to acquire title by gift or grant in the name of the State to any such lands.

2. This act shall take effect immediately.

Approved March 31, 1921.

## CHAPTER 123.

An Act providing for the payment of railroad freight bills in arrears due by the New Jersey Reformatory.

Preamble.

WHEREAS, During the years 1917, 1918 and 1919 coal was delivered at the New Jersey Reformatory by the Director-General of Railroads in his operation of the Pennsylvania Railroad Company, the bills

for the transportation by freight of which have not been paid, due to the fact that they were mislaid in other State departments and in the office of the New Jersey Reformatory;

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

1. The board of managers of the New Jersey Reformatory is hereby authorized to pay, when specifically appropriated for the purpose, the sum of eight thousand nine hundred twenty-seven dollars and six cents (\$8,927.06), the freight charges for coal delivered to the New Jersey Reformatory during the years 1917, 1918 and 1919, which remain unpaid. The Comptroller of the Treasury is directed to draw his warrant upon the State Treasurer for the amount named or any portion thereof upon vouchers properly audited in regular course from such funds as may be appropriated in the Annual Appropriation Bill for the use of the New Jersey Reformatory for such purpose.

Appropriation  
for freight  
charges.

Payment.

2. This act shall take effect immediately.

Approved March 31, 1921.

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CHAPTER 124.

· An Act regulating the operation of motor-driven aerial machines.

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

1. No person shall drive or operate, at an altitude of less than two thousand feet, a motor-driven aerial machine of any character over that portion of any field or ground reserved for spectators, performers and others attending any outdoor exhibition of any kind, including fairs, races, football games, baseball games, tennis matches and all and every other exhibition and demonstration, while said space or any part thereof, is occupied.

Aerial ma-  
chines not  
operated  
above fairs,  
etc.

Penalty for violation.

2. Any driver or operator of any such machine who shall violate any of the provisions hereof upon conviction thereof before any justice of the peace, recorder or other officer having jurisdiction over breaches of the peace, shall pay a fine of not less than twenty-five dollars, nor more than three hundred dollars, or be imprisoned in the city or county jail for any period not exceeding ninety days, or both, in the discretion of the court.

Liability.

3. Nothing herein contained shall operate to relieve the driver or operator of any such machine as aforesaid, from any civil or criminal liability for any of the acts herein prohibited.

Exceptions.

4. This act shall not apply to any exhibition or contest in which a motor-driven aerial machine participates, given under the auspices of any county or State fair association, corporation or other such organization, and which shall be made a special feature of any fair, held by such association, corporation or organization.

5. This act shall take effect immediately.

Approved March 31, 1921.

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#### CHAPTER 125.

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

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

Section 1 amended.

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

1. Whenever the board of education in any school district located in counties of the first or second class shall offer to the State Board of Education the use of a building suitable for a normal school for the purpose of training and educating persons in the science of education and art of teaching, the said State Board of Education, if in its judgment the same is needed, shall establish and maintain the same for the purposes aforesaid; 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.

Gift of building for normal school.

Name.

2. This act shall take effect immediately.

Approved March 31, 1921.

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CHAPTER 126.

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 eighth, one thousand nine hundred and ten.

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

1. Whenever the population of any city of the fourth class, located on the Atlantic ocean, in which there is now or may hereafter be constituted and established a District Court, as ascertained by any State or Federal census, is more than fifty thousand, the judge of the District Court of said city shall receive an annual salary of four thousand (\$4,000) dollars, and the clerk of the said District Court shall receive an annual salary of twenty-five hundred dollars (\$2,500).

Salaries of judge and clerk of District Court in fourth class cities.

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

Repealer.

Approved March 31, 1921.

## CHAPTER 127.

An Act to amend an act entitled "A supplement to an act entitled 'An act relating to the Courts of Common Pleas (Revision of 1900),' approved March twenty-third, one thousand nine hundred," which supplement was approved February nineteenth, one thousand nine hundred and eighteen.

Preamble.

WHEREAS, The population of certain counties bordering on the Atlantic ocean is very largely increased during certain seasons of the year thereby imposing upon the courts of such counties much additional labor; therefore

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

Section 1 amended.

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

Salary of judge.

1. Whenever the population of any county bordering on the Atlantic ocean, in this State, as evidenced by any State or Federal census, is more than seventy thousand, the judge of the Court of Common Pleas of such county shall be paid an annual salary of seventy-five hundred dollars. Such salary shall be paid monthly, and shall be in lieu of all fees and other compensation, which fees shall be paid into the county treasury.

2. This act shall take effect immediately.

Approved March 31, 1921.

## CHAPTER 128.

An Act to provide for a supplemental digest of the law and equity reports of this State.

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

1. The publishers of the "New Jersey Digest Annotated" which was issued in the year nineteen hundred and eight, and the supplement thereto which was issued in nineteen hundred and fourteen, are hereby authorized to have prepared and published a supplemental volume thereto, digesting the decisions of the law and equity reports from the year nineteen hundred and fourteen to date, said supplemental volume to be on the same plan of classification and printed in the same style as the original set, and supplement thereto and to be approved by the Chancellor and Chief Justice.

Supplement  
to New Jersey  
Digest.

2. Upon delivery to the State House Custodian of five hundred copies of said supplemental volume, to be bound in American law buckram, the delivery to be made not later than the month of June in the year nineteen hundred and twenty-two, the State Treasurer, upon proper warrant of the State Comptroller, is hereby authorized and directed to pay twelve dollars and a half per copy.

Price per  
copy.

3. Said books shall be distributed in the same manner as the law and equity reports are now distributed, and one copy to each member of the present Legislature.

Distribution.

4. This act shall take effect immediately.

Approved March 31, 1921.

## CHAPTER 129.

An Act to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen, and constituting chapter 152 of the Pamphlet Laws of 1917.

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

Section 52  
amended.

1. Article XX, section fifty-two, of the act of which this act is an amendment, as found on page 396 of the Laws of 1917, is hereby amended to read as follows:

Completion of  
improvements.

52. Whenever a municipality has heretofore undertaken any improvement under any statute effective in such municipality, the same may be completed under the provisions of this act. If said improvement was a local improvement, an assessment for benefits or award of damages therefor may be imposed hereunder; *provided, however,* that before the commencement of such improvement notice was given under a statute permitting an assessment for benefits, and a hearing accorded to persons interested; *and provided further,* that no assessment may be levied hereunder on lands which could not have been assessed under the act under which the improvement was commenced, nor shall the assessment be greater than could have been levied under such act.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved March 31, 1921.

## CHAPTER 130.

An Act to amend an act entitled "An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon (Revision of 1918)," approved March fourth, one thousand nine hundred and eighteen, and constituting chapter 237 of the Pamphlet Laws of 1918.

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

1. A new section shall be added to be numbered "11 (a)" to read as follows: Section 11 (a) added.

11 (a). Such certificate shall also include a statement of any tax sales made within three months prior to its date not held by the municipality; and in case of a continuation search shall indicate whether the liens, if any, shown in the original certificate have been paid and satisfied, or remain in force. Statement of tax sales.

2. A new section shall be added to be numbered "30 (a)" to read as follows: Section 30 (a) added.

30 (a). If the property is described by lot and block number in accordance with the assessment map of the municipality, no further description shall be required, either in the tax sale list, the notice of sale, or the certificate of sale. The collector may list, advertise and sell and make certificate of sale by description not in accordance with the last tax duplicate, in the following cases: Where municipal liens have been apportioned, he may describe the property in accordance with the apportionment. In case contiguous parcels in the same block are assessed in the last duplicate to the same owner, he may consolidate some or all of the parcels and describe the same by a consolidated description. Sale by collector.

Section 50 (a)  
added.

Copy of  
record in  
evidence.

Signature  
authenticated.

3. A new section shall be added to be numbered "50 (a)" to read as follows:

50 (a). A copy of any record or part thereof in the office of the collector, or other officer charged by law with collecting municipal liens, when certified by him to be a true copy of such record or part thereof, shall be received in evidence in all courts of this State, as if the original record, or part thereof, were produced and proved. The signature to said certificate shall be authenticated as the signature of the person who at its date was such collector or other officer, by a supplemental certificate of the clerk of the municipality under its seal.

4. This act shall take effect immediately.

Approved March 31, 1921.

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#### CHAPTER 131.

An Act to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen, being chapter 152 of the Laws of 1917.

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

Section  
amended.

Service  
connections.

1. Article XX, section one, subdivision (i), is hereby amended to read as follows:

(i). The installation of service connections to a system of water, gas, light, heat or power works owned by the municipality or otherwise, including all such works as may be necessary for supplying water, gas, light, heat or power to lands for whose benefit such services are provided; service connections including the laying, constructing or placing of mains, conduits, or cables, in, under or along a street, road, avenue, alley or other public highway or portion thereof.

2. This act shall take effect immediately.

Approved March 31, 1921.

## CHAPTER 132.

A Supplement to an act entitled "An act to provide for a lien on land, or on a lot or lots, situate in cities of the fourth class of this State, for the cost and expense of abating a nuisance," approved April fifth, one thousand nine hundred and twenty.

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

1. Any municipality having authority and power by the act of which this act is a supplement, may temporarily finance the carrying out of the purposes of said act, by the issuing of promissory notes or bonds, which shall mature within six years after the same are issued and said bonds or notes shall be issued in all respects in conformity with an act of the Legislature of this State entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and the amendments thereof.

2. This act shall take effect immediately.

Approved March 31, 1921.

Issuance of  
temporary  
notes.

## CHAPTER 133.

An Act to incorporate the township of Lincoln, in the county of Morris.

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 Pequannock, in the county of Morris, 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 township of Lincoln, in the county of Morris, and shall be governed by the general laws of this State relating to townships.

Boundaries  
of proposed  
township.

2. The territorial limits of said township shall be as follows: Beginning in the middle of the Jacksonville road, one thousand feet west of the middle of said Jacksonville road and its junction with the Bog and Fly road to Jacksonville, from thence running southwesterly in a straight line to a point in the middle of the road from Jacksonville to Brook Valley where said road from Jacksonville to Brook Valley is intersected by the easterly line of Montville township; thence southeasterly and southerly along said Montville township line, the various courses thereof, to the southeasterly corner of said Montville township where it intersects the Essex county line in the middle of the Passaic river; thence easterly along the middle of the Passaic river, the various courses thereof, following the Essex county line, to its junction with the Pompton river; thence northerly along the middle of the Pompton river, the various courses thereof, following the Passaic county line, to a point in the middle of said Pompton river four thousand six hundred feet, be it more or less, in a straight line to a point in the middle of the Bog and Fly road at its junction with the Pompton turnpike, thence still westerly along the middle of the Bog

and Fly road, the various courses thereof, to the place of beginning.

3. This act shall take effect immediately, but shall not operate to affect the incorporation of the territory above described as a township until it shall have been accepted by a majority vote of the qualified voters residing in the above described territory at a special election to be held within sixty days from the passage of this act between the hours of six A. M. and seven P. M.

Referendum.

Special election.

4. The clerk of the township and the county board of elections shall perform the same services in submitting this question to the qualified voters residing in the above described territory as provided for in the laws governing the general election, and the same county board of elections shall also provide the necessary ballots to be voted at such election, upon which shall be printed the proposition with instructions to the voter in the following form:

Election officers.

If you favor the proposition printed below, make an X mark in the square to the left of and opposite the word "Yes", if you are opposed thereto, make an X mark in the square to the left of and opposite the word "No".

Proposition submitted.

	Yes.	Shall an act entitled "An act to incorporate the township of Lincoln in the county of Morris", be adopted?
	No.	

If the voter make an X mark in black ink or black pencil in the square to the left of and opposite the word "Yes" it shall be counted as a vote in favor of such proposition.

Marking ballots.

If the voter shall make an X mark in black ink or black pencil in the square to the left of and opposite the word "No" it shall be counted as a vote against such proposition, and in case no mark shall be made in the square to the left of and opposite either the word "Yes" or

"No" it shall not be counted as a vote either for or against such proposition.

Result.

The officers holding said election in each of said election districts shall immediately at its close certify in writing, under their hands in duplicate, the result thereof; one of which certificates shall be filed forthwith with the clerk of the township of Pequannock and one with the clerk of the county of Morris. The county board of elections shall proceed to canvass and determine the vote cast at said election at the time and in the manner provided by law, and a statement of the total result of said canvass shall be filed in the county clerk's office, and the county clerk shall thereupon forward to the Secretary of State and the clerk of the township of Pequannock, respectively, a certified copy of such statement.

Canvass.  
Statement  
made and  
filed.

Approved March 31, 1921.

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#### CHAPTER 134.

An Act providing by pension for officers and employees of the State of New Jersey, not having fixed terms of office or employment, incapacitated after twenty-five years' service at or after sixty years of age.

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

Retirement  
on age and  
service for  
disability.

1. Any person who has been continuously in the employ of the State of New Jersey for a period of twenty-five years, not having a fixed term of office and having reached the age of sixty years, may retire or be retired at any time thereafter by reason of becoming physically or otherwise incapacitated for service to the State, which physical or other disability shall have developed during his term of service.

Notice of  
disability.

2. When it shall be made to appear not only that such physical or other disability exists, but that it will, in all

reasonable probability, continue permanently, such employee, in that event, may be retired from the service of the State for the reasons stated herein, upon informing his immediate superior or departmental head, or upon such information being given in his behalf, of his desire to do so, and of his disability and if such departmental head or official employing superior finds that a disability exists it shall then be the duty of such departmental head or official employing superior, to appoint a physician of skill and repute in his profession and resident in this State, who shall then examine the person proposed for retirement and make report of his physical condition or other disability, and as to whether, in all reasonable probability, if he finds such disability to exist, it will continue permanently, and does and will continue to prevent the applicant from giving service to the State in the performance of his duties. Upon the coming in of such physician's report the departmental head or official employing superior shall certify and send the same to the State House Commission and if the State House Commission approve the same, they shall file it in the office of the Comptroller of the Treasury, there to remain record, and thereupon such applicant may, or any one in his behalf may, file his resignation in such office, and he shall be entitled to the benefit of this act as a retired employee.

Examination  
by physician.

Approval of  
report by  
State House  
Commission.

3. Such employee retiring as aforesaid during such disability to the State or any other employer shall be paid thereafter an annual salary or compensation during the period of his natural life, commencing with the date of the filing of his resignation as aforesaid, at the rate of one-half of the average annual salary and wage he may be in receipt of for the two years previous to the time of such filing. Compensation to the extent of one-half of any fee for enrollment services which the person to be pensioned might be capable of earning in the maximum at retirement for such salary, wage or one-half of compensation which beneficiary shall have been in receipt of aforesaid shall be paid by the State Treasurer in the manner and time of payment as other salaries or compensation are paid to those in the employ of the State out of the appropriation account for salaries

Retirement  
compensation.

Amount.

Payments.

and wages or enrollment fees of the department or branch of service in which such person or persons have or shall have been employed in which account provision shall be made for the purpose to the extent authorized by this act.

Act effective. 4. This act shall take effect and apply to all persons in the State service qualifying under this act, as of January first, one thousand nine hundred and twenty-one, and shall be considered to that extent retroactive and no further.

Exceptions 5. This act shall not apply to those officers and employees of the State drawing pensions or who shall hereafter be entitled to do so under any other law heretofore enacted and now in effect which specifically names any class or classes of such officers or employees.

6. This act shall take effect immediately.  
Approved March 31, 1921.

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#### CHAPTER 135.

An Act to repeal an act entitled "An act to regulate the occupation of barbering, to create a board of examiners for licensing of persons to carry on such practice, to provide rules regulating the proper sanitation of barber shops, and to prevent the spreading of contagious and infectious diseases," approved April fifth, one thousand nine hundred and twenty.

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

Act repealed. 1. The act entitled "An act to regulate the occupation of barbering, to create a board of examiners for licensing of persons to carry on such practice, to provide rules regulating the proper sanitation of barber shops, and to prevent the spreading of contagious and infectious dis-

eases," approved April fifth, one thousand nine hundred and twenty, be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved March 31, 1921.

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CHAPTER 136.

A Supplement to an act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof," approved May twenty-second, one thousand eight hundred and ninety-four.

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

1. The State Board of Medical Examiners of New Jersey may in its discretion, issue limited licenses, after examination of the applicants therefor, authorizing the holders thereof to practice any system or branch or branches of medicine or surgery, as defined in the act to which this act is a supplement, or the treatment of any disease by any means or methods. Said board shall, in the exercise of the discretion above granted, determine from time to time by general rules for what systems or branches of medicine or surgery or methods of treatment of disease limited licenses shall be issued under this act. Every application for such limited license shall clearly state the system or branch of medicine or surgery, or the method of treatment of disease for which the applicant desires a license and shall in all things conform to the rules and regulations adopted by said board.
2. No applicant for a limited license under this act shall be examined by said board unless he shall prove to said board that he is a citizen of the United States or that he has taken out his first naturalization papers in accordance with the acts of Congress and shall present

Limited  
licenses.

Rules.

Applications.

Citizenship.

Academic requirements.	<p>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 approved by the Commissioner of Education of this State. Such applicant shall also prove to said board that in addition to the above requirements he has received a diploma 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 right to practice the system or branch of medicine or surgery or the method of treatment of disease for which such applicant desires a license, 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 such system or branch of medicine or surgery or such method of treatment of disease, he had studied 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, which courses shall have included a thorough and satisfactory course of instruction in the system or branch of medicine or surgery or the method of treatment of disease for the practice of which a license is desired. The term "medical college" as used herein shall include any college devoted to the teaching of any particular system or branch of medicine or surgery, or method of treatment of disease for the practice of which the board shall have determined to issue limited licenses under this act.</p>
Medical diploma.	
Period of study.	
"Medical college."	
Subjects of examinations.	<p>3. Such examinations shall be conducted for the purpose of determining the qualifications of the applicant to practice the particular system or branch of medicine or surgery or the method of treatment of disease specified in the application. Such applicant shall be examined in the following subjects: medical, and surgical diagnosis, anatomy, physiology, chemistry, histology,</p>

pathology, bacteriology, hygiene and medical jurisprudence, and in addition thereto shall be given a special examination in the particular system or branch of medicine or surgery, or method of treatment of disease which such applicant desires to practice. For the purpose of conducting such special examination in any system or branch of medicine or surgery, or method of treatment of disease, who are not now represented on the board, the board may call to its aid men and women of established reputation and known ability in the practice of such system, branch or method, and compensate such men and women for their services at the rate of not more than ten dollars per day in addition to expense actually incurred.

Special examination.

Special examiners.

4. Every applicant for limited license under this act shall deposit with the secretary of said board upon the approval of his application for examination, the sum of twenty-five dollars as an examination fee. In case said applicant fails to pass said 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 and any special examiners who shall be employed only by said number until his or her papers have been examined and marked.

Examination fee.

Re-examinations.

Examination identification.

5. Any applicant for limited license under this supplement upon proving to the satisfaction of said board that he or she is of good moral character, is a citizen of the United States or has taken out his or her first naturalization papers in accordance with the acts of Congress and that he or she has been examined and licensed to practice a system or branch of medicine or surgery or a method of treatment of disease for which license, after examination, shall be granted by this board (which such system or branch of medicine or surgery or such method shall be named in said application), by the examining and licensing board of another State of the United States, and that at the time of granting such license the standard of requirements for license to practice such

Licensing present practitioners.

system or branch of medicine or surgery or method of treatment of disease in the State where such license was granted was at least substantially equal to the standard of requirements for such license in force in this State at said time (or in case said license of such other State was issued prior to the date of the taking effect of this act, then upon proving that such standard of such other State at the time such license was issued, was substantially identical with the standard adopted by this act), 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 State Board of Medical Examiners, be granted a license to practice such system or branch of medicine or surgery, or method of treatment of disease, without further examination 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.

Causes for refusing and revoking licenses.

6. The State Board of Medical Examiners may refuse to grant or may revoke any license issued under this supplement for the following causes:

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 or shall have presented to this board any diploma, license or certificate that shall have been illegally obtained, or shall have been signed or issued unlawfully or under fraudulent representations, or where a license to practice in this State has been obtained or shall have been obtained through fraud of any kind. In case any license has been issued under this act to any person who has secured his first naturalization papers in accordance with the acts of Congress but who at the time of such license, has not become a citizen of the United States, such license shall be revoked by said board if such person shall not within five years become a naturalized citizen of the United States. Before any license shall be revoked, the accused person

Hearing.

shall be furnished with a copy of the complaint and given a hearing before said board in person or by attorney. On the revocation of any such license all right to practice thereunder shall immediately cease.

7. Any certificate or license issued pursuant to this act shall be designated "Limited License" and shall plainly state upon its face the system or branch of medicine or surgery, or method of treatment of disease for the practice of which it is issued. No such license shall authorize the holder thereof to practice any system or branch of medicine or surgery, or method of treatment of disease other than that stated in the certificate thereof. No such license shall authorize the holder thereof to prescribe any drug, to do or perform any surgical operation requiring cutting, or to prescribe or use any anæsthetic.

What limited license to show.

8. The holder of any limited license issued pursuant to the provisions of this act, is hereby authorized and required to report communicable diseases in like manner and with like effect as though he were the holder of a license issued under the act to which this act is a supplement.

Report communicable diseases.

9. Any person receiving a limited license under this act shall file the same, or a certified copy thereof, with the clerk of the county in which he or she resides, and said clerk shall file said license or certified copy thereof and enter a memorandum thereof, giving the date of said license, with the name and address of the person to whom the same is issued, and the date of said filing in a book to be approved by this board and to be kept for that purpose, for which registry the said county clerk shall be entitled to demand and receive from each person registering, the sum of one dollar; in case the person so licensed shall move into another county of this State, he or she shall procure from the said clerk a certified copy of such registration, and then file the same with the clerk of the county to which he or she shall remove, and the said clerk shall file and enter the same with like effect as if the same were an original license, and for which registry the said clerk shall be entitled to demand and receive the sum of one dollar; upon each registry or reregistry, the person registering shall make

Copy of license filed with county clerk.

Record kept.

Filing fee.  
Change of county residence.

List of limited licenses furnished annually.	<p>an affidavit that he or she is the person described in the license or registration copy; and each county clerk in the counties of this State shall, upon the last day of November of each year, furnish to the secretary of said board a list of all limited licenses, certified copies of limited licenses and registration of limited licenses of this board filed in his office during the previous year, together with any changes or issuances of certificates for the purpose of change to any county to which the licentiate intended to remove, and upon notice to him of the change of location or death of a licentiate or of the revocation of a license, said county clerk shall enter at the appropriate place in the records so kept by him a memorandum of said fact; and said memorandum shall be furnished by said county clerk to the secretary of this board in the annual report above required.</p>
Section 9 not affected.	<p>10. Nothing in this act contained shall modify or affect the operation of Section nine of the act to which this act is a supplement.</p>
Act repealed.	<p>11. An act entitled "An act to regulate the practice of chiropractic," approved March third, one thousand nine hundred and twenty, and all acts supplementary thereto or amendatory thereof are hereby repealed; provided that any person holding a valid license heretofore issued in due course by virtue of the provisions of the acts above mentioned, shall be authorized to continue to practice pursuant to said license as though the act under which said license had been issued had not been repealed; <i>provided, however</i>, that any such license shall be subject to revocation by said board for the causes and in the manner above provided for licenses issued pursuant to this act. All acts, general or special, inconsistent with the provisions of this act, in addition to the acts specifically above mentioned, are hereby repealed.</p>
Proviso.	
Proviso.	
Repealers.	
Effect of act.	<p>Nothing in this act contained shall operate to repeal, modify or affect the act entitled "An act to regulate the practice of osteopathy in the State of New Jersey, and to license osteopathic physicians to practice in this State and punish persons violating the provisions thereof," approved April second, one thousand nine hundred and thirteen or any act supplementary hereto or amendatory thereof.</p>

12. Within thirty days after the passage of this supplement, the Governor shall appoint an additional member of the Board of Medical Examiners, established by the act to which this act is a supplement. Such additional member shall be a reputable chiropractor practicing chiropractic in this State, and shall be a graduate of a legally incorporated school or college of chiropractic requiring personal attendance. He shall represent the school of practice to which he belongs in said board. He shall be appointed for the term of three years and until his successor is appointed and qualified. In case of a vacancy by reason of death, resignation or otherwise before the expiration of the term for which he was appointed, the Governor shall appoint a successor for such unexpired term.

Chiropractic member of medical examiners.

Term.

Vacancy.

13. Nothing in this act contained shall in any wise affect the term of office of any person now holding office as a member of the State Board of Medical Examiners. Such board shall, however, hereafter consist of eleven members nine of whom shall continue to be appointed in accordance with the provisions of the act to which this act is a supplement, and one of whom shall be an osteopathic physician as provided for in chapter 224 of the Laws of 1913, approved April second, one thousand nine hundred and thirteen; the other member shall be a chiropractor as herein provided.

Membership of State Medical Board.

14. This act shall not apply nor shall it in any manner be construed to apply to persons practicing healing by spiritual, religious or mental means if no material medicine is prescribed or used and no manipulation or material means are used.

Exceptions.

15. This act shall take effect immediately.  
Approved March 31, 1921.

CHAPTER 137.

An Act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-two, and regulating the disbursement thereof.

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

Annual ap-  
propriations.

Unexpended  
balances to  
lapse.

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 respective public officers and for the several purposes herein specified, for the fiscal year ending on the thirtieth day of June, in the year one thousand nine hundred and twenty-two, and shall be available for expenditure during said fiscal year, and for a period of three months thereafter to pay obligations incurred during said fiscal year only. At the expiration of said three months' period all unexpended balances, unless specifically held by contracts on file with the Comptroller of the Treasury, shall lapse into the State treasury:

A. EXECUTIVE AND ADMINISTRATIVE.

A I. ATTORNEY-GENERAL'S DEPARTMENT.

Attorney-  
General's  
office.

Salaries:

Attorney-General, . . . .	7,000 00	
Assistant Attorney-Gen- eral, . . . . .	5,000 00	
Second Assistant At- torney-General, . . . .	4,800 00	
Chief legal assistant, ..	6,000 00	
Senior legal assistant, ..	4,200 00	
Senior legal assistant, ..	3,500 00	
Compensation for other assistants, . . . . .	10,920 00	
	<hr/>	\$41,420 00

Traveling expenses, .....	1,000 00	
Blanks, stationery and printing, .....	1,500 00	
Postage and incidentals:		
Postage, .....	500 00	
Incidentals, .....	1,000 00	
	<hr/>	1,500 00
Miscellaneous:		
For the purpose of carry-		
ing on the prosecu-		
tion of violations of		
the Corrupt act; <i>pro-</i>		Proviso.
<i>vided, however,</i> that		
the use of these funds		
may be applied for		
the procuring of evi-		
dence, counsel fees and		
such other expenses		
incident and necessary		
for such prosecution		
but for no other pur-		
pose whatsoever, ...	\$2,500 00	
Compensation and ex-		
penses of counsel em-		
ployed by the Attor-		
ney-General in foreign		
States to collect taxes		
due from bankrupt		
and other insolvent		
corporations, .....	500 00	
Law books, .....	500 00	
	<hr/>	3,500 00
		<hr/>
		\$48,920 00
		<hr/> <hr/>

## A 2. BUDGET ACT EXPENSES.

For salaries and expenses for the pur-		Budget act.
pose of carrying into effect the provi-		
sions of chapter 15, Laws of 1916,		
known as the "Budget Act," .....	\$10,000 00	
	<hr/> <hr/>	

Civil Service.

## A 3. CIVIL SERVICE COMMISSION.

## Salaries:

Commissioners, . . . . .	\$15,500 00	
Chief examiner and secretary, . . . . .	5,000 00	
Assistant secretary, . . . . .	3,240 00	
Senior examiner, . . . . .	2,520 00	
Assistant chief examiner, . . . . .	3,120 00	
Medical examiner, . . . . .	2,400 00	
Compensation for assistants, . . . . .	43,420 00	
New employees, . . . . .	4,280 00	
Extra clerical services, . . . . .	1,000 00	
Janitors, . . . . .	100 00	
	<hr/>	\$80,580 00
Traveling expenses, . . . . .		2,500 00
Printing and office supplies, . . . . .		5,000 00
Postage and incidentals:		
Postage, . . . . .	\$2,500 00	
Incidentals, . . . . .	1,400 00	
	<hr/>	3,900 00
Miscellaneous:		
Advertising, . . . . .	\$2,000 00	
Office equipment, . . . . .	1,000 00	
	<hr/>	3,000 00
		<hr/>
		\$94,980 00
		<hr/> <hr/>

## A 4. COMPTROLLER'S DEPARTMENT.

Comptroller's  
office.

## Salaries:

Comptroller, . . . . .	\$6,000 00	
Deputy Comptroller, . . . . .	5,000 00	
Clerical services, . . . . .	16,000 00	
	<hr/>	\$27,000 00
Blanks, stationery and printing, . . . . .		4,000 00
Postage and incidentals, . . . . .		5,000 00
Miscellaneous:		
Premium on surety bonds, . . . . .		300 00

## AUDIT DEPARTMENT.

Salaries:		Auditing.
Chief Auditor and assist-		
ants, .....	\$22,100 00	
Clerical services, .....	6,700 00	
	<u>          </u>	\$28,800 00
Traveling expenses, .....		1,500 00

## INHERITANCE TAX DEPARTMENT.

Salaries:		Inheritance Department,
State supervisor, .....	\$6,000 00	
Two district supervisors, \$3,500.00 each, .....	7,000 00	
Two head clerks, \$3,000 each, .....	6,000 00	
Compensation for assist-		
ants, .....	70,720 00	
	<u>          </u>	\$89,720 00
Expenses, .....		6,000 00

## Miscellaneous:

The Comptroller of the Treasury is hereby authorized and it shall be his duty to withdraw from the State fund such amounts as shall be required to carry out the provisions of chapter 238, Laws of 1909, and to refund and pay such claims as may be necessary, and the State Treasurer shall pay same upon the warrants of said Comptroller, and there is hereby appropriated the amount necessary therefor.

## A 5. DEPARTMENT OF ARCHITECTURE.

Salaries:		Architect.
Architect and other em-		
ployees, .....	\$31,700 00	
Two new draftsmen and other office help, .....	5,000 00	
	<u>          </u>	\$36,700 00

Traveling expenses, .....		3,500 00
Blanks, stationery and printing.....		3,000 00
Postage and incidentals:		
Postage, .....	\$300 00	
Incidentals, .....	2,500 00	
		<u>2,800 00</u>
Miscellaneous:		
Blue prints, .....	\$2,500 00	
Instruments, .....	500 00	
Automobile expenses, ...	500 00	
		<u>3,500 00</u>
		<u><u>\$49,500 00</u></u>

## A 6. DEPARTMENT OF PUBLIC REPORTS.

Public re-  
ports.

Salaries:		
Commissioner, .....	\$2,000 00	
Clerk, .....	600 00	
		<u>\$2,600 00</u>
Blanks, stationery and printing, .....		100 00
		<u>\$2,700 00</u>

## A 7. EMERGENCY FUND.

Emergencies.

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, \$10,000 00

## A 8. EXECUTIVE DEPARTMENT.

Executive  
Department.

Salaries:		
Governor, .....	\$10,000 00	
Secretary to the Governor	5,000 00	
Compensation for assist- ants, .....	9,480 00	
		<u>\$24,480 00</u>
Traveling expenses, .....		2,000 00

Blanks, stationery and printing, . . . . .		2000 00
Postage and incidentals:		
Postage, . . . . .	\$1,150 00	
Incidentals, . . . . .	2,350 00	
	<hr/>	3,500 00
		<hr/>
		\$31,980 00
		<hr/> <hr/>

## A 9. SECRETARY OF STATE.

Salaries:			Secretary of State.
Secretary of State, . . . . .	\$6,000 00		
Assistant Secretary of State, . . . . .	3,000 00		
Chief clerk, . . . . .	5,000 00		
Additional records, copying and comparing corporation and court records at the rate of five cents per folio of one hundred words, . . . . .	5,000 00		
Compensation for assistants, . . . . .	26,940 00		
	<hr/>	\$45,940 00	
Traveling expenses, . . . . .		300 00	
Blanks, stationery and printing, . . . . .		7,500 00	
Postage and incidentals:			
Postage and express, . . . . .	\$2,500 00		
Incidentals, . . . . .	1,500 00		
	<hr/>	4,000 00	
Miscellaneous:			
Preserving early probate records, . . . . .	\$1,000 00		
Metallic cases, . . . . .	500 00		
Election supplies and distribution, . . . . .	45,000 00		
	<hr/>	46,500 00	
		<hr/>	
		\$104,240 00	
		<hr/> <hr/>	

A IO. SECRETARY OF STATE, MOTOR VEHICLE  
DEPARTMENT.

Motor Vehicle Department.	Salaries :		
	Commissioner, . . . . .	\$1,500 00	
	Compensation for inspec- tors, clerks, et cetera, . .	83,430 00	
	Additional inspectors and office employees, . . . . .	24,540 00	
		\$109,470 00	
	Traveling expenses :		
	Expenses of inspectors and equipment, . . . . .	34,000 00	
	Blanks, stationery and printing, . . . . .	12,000 00	
	Postage and incidentals, . . . . .	7,000 00	
	Miscellaneous :		
	Automobile markers, . . . .	\$100,000 00	
	Purchase of automobiles, . .	20,000 00	
	Liability insurance, . . . . .	700 00	
	Refunds for errors in rat- ing, . . . . .	300 00	
	Printing copies of laws, . . .	6,000 00	
	Filing cabinets, . . . . .	2,000 00	
	Automobile insurance, . . . .	500 00	
		129,500 00	
	Payment of the above items in this ac- count to be made from the receipts of the Department of Motor Vehicle Reg- ulation and Registration, pursuant to chapter 235, Laws of 1909.		
		\$291,970 00	

A II. STATE HOUSE COMMISSION.

State House Commission.	Salaries and Wages :		
	Custodian, . . . . .	\$3,500 00	
	Compensation of assistants and helpers, . . . . .	76,650 00	
		\$80,150 00	

## Maintenance:

Fuel and power, for this purpose only, . . . . .	\$19,800 00	
Light, . . . . .	8,500 00	
Sundry supplies, . . . . .	12,000 00	
Current repairs, . . . . .	17,000 00	
Rent of West State street buildings, . . . . .	5,400 00	
Telephone and telegraph, . . . . .	3,500 00	
Furniture and office supplies, . . . . .	3,000 00	
Insurance, for this purpose only, . . . . .	3,000 00	
Postage, . . . . .	800 00	
Freight and express, . . . . .	500 00	
Traveling expenses, . . . . .	200 00	
Incidentals, . . . . .	500 00	
		74,200 00

## Additions and Improvements:

New elevator, . . . . .	\$10,000 00	
For painting of Governor Edwards pursuant to Joint Resolution No. 4, approved March 28, 1904, . . . . .	1,000 00	
For reimbursement for painting of former Governor Edge, pursuant to Joint Resolution No. 4, approved March 28, 1904, . . . . .	1,060 00	
Completion of Stacy Park, . . . . .	15,000 00	
Maintenance of Stacy Park, . . . . .	1,500 00	
		28,560 00

## New buildings:

Carrying into effect the provisions of a bill pending entitled, "An act to provide for the erection and maintenance of a State exhibition building for the display and exhibit of the educational features, and the institutional, agricultural and horticultural

tural products of the State, and making an appropriation therefor," provided, said bill becomes a law, . . . . . 25,000 00

*State Printing Board.*

Printing Board.	Salaries and Wages:	
	Public Printer, . . . . .	900 00
	Miscellaneous:	
	Legislative printing, . . . . .	\$75,000 00
	Printing and binding public documents, . . . . .	30,000 00
	Printing and circulating laws, . . . . .	15,000 00
		<u>120,000 00</u>

*State Purchasing Department.*

Purchasing Department.	Salaries and Wages:	
	State Purchasing Agent, . . .	\$5,000 00
	Assistant State Purchasing Agent, . . . . .	4,800 00
	Compensation of assistants and clerical services, . . .	17,820 00
	Expert services, . . . . .	2,180 00
		<u>29,800 00</u>
	Miscellaneous:	
	Traveling expenses, . . . . .	\$2,000 00
	Blanks, stationery and printing, . . . . .	2,500 00
	Postage, . . . . .	1,200 00
	Telephone and telegraph, . . .	900 00
	Incidentals, including insurance, laboratory tests, truck expenses, freight, et cetera, . . . . .	2,200 00
	Purchase of warehouse, . . .	58,800 00
		<u>67,600 00</u>
		<u><u>\$426,210 00</u></u>

*State Purchase Fund.*

The unexpended balance of the "Purchase Fund" created in accordance with the provisions of chapter 277, P. L. 1917, item 100, together with such sums as may be returned to the State treasury for the reimbursement of the appropriation provided by said item so that a "Purchase Fund" not exceeding \$250,000 will be established and maintained for the purpose of making payments for purchases in the operation of chapter 68, Pamphlet Laws of one thousand nine hundred and sixteen, and the expenses of handling, storing and transporting purchases, so made, the cost of said purchases to be apportioned among the various using agencies and the appropriations current for their use so as to reimburse the said "Purchase Fund" for said purchases when so made; said amounts so apportioned to be credited to said fund when deposited in the State treasury for disbursement in accordance with the provisions of said chapter 68, P. L. 1916, so as to constitute it a revolving fund for purchases, is hereby appropriated.

Purchase  
Fund.

A 12. TREASURER'S DEPARTMENT.

Premium on surety bond for Treasurer and deputy treasurer, .....	\$750 00	Treasurer's Department.
Salaries:		
Treasurer, .....	\$6,000 00	
Compensation for other assistants, .....	20,501 00	
Two new clerks, .....	4,000 00	
	<hr/>	
	30,501 00	
Blanks, stationery and printing, .....	1,300 00	
Postage and incidentals, .....	2,500 00	
Miscellaneous:		

## CHAPTER 137, LAWS OF 1921.

*Department of Municipal Accounts.*Municipal  
Accounts.

## Salaries:

Commissioner, . . . . .	\$5,000 00	
Chief clerk, auditors and compensation for other assistants, . . . . .	24,000 00	
	<hr/>	29,000 00
Traveling expenses, . . . . .		4,000 00
Blanks, stationery and printing, . . . . .		1,500 00
Postage and incidentals, . . . . .		600 00
Miscellaneous:		
Furniture and equipment, . . . . .	\$600 00	
Expenditures under provi- sions of section 3 (b), chapter 266, Laws of 1918, . . . . .	5,000 00	
	<hr/>	5,600 00
		<hr/>
		\$75,751 00
		<hr/> <hr/>

## B. LEGISLATIVE.

## B I. LEGISLATURE.

Legislature.

## Salaries:

Senators and Assembly- men, . . . . .	\$40,833 32	
Compensation for officers and employees, . . . . .	49,600 00	
	<hr/>	\$90,433 32
Miscellaneous:		
Manuals of the Legisla- ture, . . . . .	\$3,000 00	
Indexing Journal and Min- utes and other inci- dental and contingent expenses, . . . . .	17,000 00	
Toilet and other necessary articles, to be furnished by the State House Commission, . . . . .	1,250 00	
	<hr/>	21,250 00
		<hr/>
		\$111,683 32
		<hr/> <hr/>

## C. JUDICIAL.

## C 1. CLERK IN CHANCERY.

Salaries:		Clerk in Chancery.
Clerk in Chancery, . . . . .	\$6,000 00	
Chief clerk, . . . . .	4,200 00	
Compensation for assist- ants, . . . . .	34,260 00	
Additional assistants for enrolling court cases, . . .	14,400 00	
	<hr/>	\$58,860 00
Blanks, stationery and printing, . . . . .	6,000 00	
Postage and incidentals, . . . . .	4,000 00	
Steel filing case, . . . . .	2,500 00	
Re-indexing old indices, . . . . .	500 00	
	<hr/>	\$71,860 00
		<hr/> <hr/>

## C 2. CLERK OF SUPREME COURT.

Salaries:		Clerk of Supreme Court.
Clerk of Supreme Court, . .	\$6,000 00	
Chief Clerk, . . . . .	3,240 00	
Compensation for assist- ants, . . . . .	20,100 00	
	<hr/>	\$29,340 00
Blanks, stationery and printing, . . . . .	3,500 00	
Postage and incidentals:		
Postage, . . . . .	\$1,751 00	
Typewriters, furniture, office equipment and re- pairs, . . . . .	640 00	
Incidentals, . . . . .	1,009 00	
	<hr/>	3,400 00
		<hr/>
		\$36,240 00
		<hr/> <hr/>

## C 3. COURT OF CHANCERY.

Salaries:		Court of Chancery.
Chancellor, . . . . .	\$15,000 00	
Vice Chancellors, . . . . .	112,000 00	

## CHAPTER 137, LAWS OF 1921.

Compensation and traveling expenses of sergeants-at-arms, . . . . .	10,600 00	
Compensation and allowance of advisory masters and their official stenographers, . . . . .	15,000 00	
Compensation and traveling expenses of stenographers and for services pursuant to section 103 of chapter 158 of the Laws of 1902, . . . . .	25,560 00	
Compensation for stenographer for the Chancellor, . . . . .	1,320 00	
	<u>          </u>	\$179,480 00
Blanks, stationery and printing, . . . . .		750 00
Postage, . . . . .		250 00
Miscellaneous:		
Rent of rooms in Atlantic City, Jersey City, Newark, and Trenton, . . . . .	12,520 00	
Miscellaneous expenses in connection with such rooms . . . . .	200 00	
	<u>          </u>	12,720 00
		<u>          </u>
		<u>\$193,200 00</u>

## C 4. COURT OF ERRORS AND APPEALS.

Court of  
Errors.

## Salaries:

Compensation of judges of the Court of Errors and Appeals, at \$20.00 per diem, . . . . .	\$22,000 00	
Compensation of officers, . . . . .	2,250 00	
	<u>          </u>	\$24,250 00

Blanks, Stationery and Printing:

Printed or typewritten copies of draft opinions under the direction of the presiding judge, .....	2,000 00
Postage and incidentals, .....	200 00
Binding State cases, briefs, et cetera, and printing list of causes, et cetera, ....	750 00
	<u>\$27,200 00</u>

C 5. COURT OF PARDONS.

Salaries:

Court of  
Pardons.

Compensation of judges of the Court of Pardons, at \$20.00 per diem, .....	\$5,500 00
Compensation of clerk and stenographer, .....	1,275 00
	<u>\$6,775 00</u>
Traveling expenses, .....	350 00
Blanks, stationery and printing, .....	1,400 00
Postage and incidentals, .....	300 00
	<u>\$8,825 00</u>

C 6. COURT EXPENSES.

Salaries:

Transferred  
cases.

For compensation of judges of the Court of Common Pleas, pursuant to section 49, chapter 149, Laws of 1900, .....	\$1,750 00
	<u>\$1,750 00</u>

C 7. LAW AND EQUITY REPORTS.

Salaries:

Legal reports.

Chancery reporter, .....	\$500 00
Supreme Court reporter, ..	500 00
	<u>1,000 00</u>
Publication of Chancery reports, .....	6,500 00

## CHAPTER 137, LAWS OF 1921.

Publication of Law reports, .....	6,500 00
Binding Chancery and Law reports, ....	1,500 00
	<hr/>
	\$15,500 00
	<hr/> <hr/>

## C 8. STENOGRAPHIC REPORTERS.

Reporters.	For amount to be refunded to various counties in this State for salaries of stenographic reporters appointed by the justices of the Supreme Court, pursuant to chapter 81 of the Laws of 1901, ..	\$26,330 00
		<hr/> <hr/>

## C 9. SUPREME COURT.

	Salaries:	
Supreme Court.	Chief justice, .....	\$15,000 00
	Associate justices, .....	112,000 00
	Circuit Court judges, ...	96,000 00
	Compensation for assistants, .....	2,000 00
	Board of bar examiners, salary of members, secretary, and messenger, .....	7,090 00
		<hr/>
		\$232,090 00
	Blanks, stationery and printing, .....	500 00
	Postage and incidentals, .....	70 00
	Miscellaneous:	
	Other expenses incurred by court order, ..	3,000 00
		<hr/>
		\$235,660 00
		<hr/> <hr/>

## D. REGULATIVE.

## D I. BOARD OF COMMERCE AND NAVIGATION.

	Salaries:	
Commerce and Navigation.	Director, .....	\$5,000 00
	Counsel for the board, ...	5,000 00
	Consulting engineer, .....	4,500 00
	Public hearings, etc., searches, surveys, witnesses on trespasses, and other assistants, .....	28,320 00
		<hr/>
		\$42,820 00

Traveling expenses, .....	4,000 00
Blanks, stationery and printing, .....	1,500 00
Postage and incidentals:	
Postage, .....	\$300 00
Incidentals, .....	3,500 00
	<hr/>
	3,800 00
Miscellaneous:	
Continuing construction of Bay Head-Manasquan canal, .....	\$25,000 00
There is hereby appropriated the undisbursed balance on the thirtieth day of June, one thousand nine hundred and twenty-one, of the ap- propriation made under item D-1, of chapter 353, Laws of 1920, for contin- uing construction of Bay Head-Manasquan canal.	
Maintenance of inland waterway from Cape May to Bay Head, ....	10,000 00
Rents, .....	4,800 00
Safe cabinet for docu- ments, .....	725 00
Motor boat, .....	800 00
For the construction, re- pair or preservation of sea walls, bulkheads and jetties and other ap- proved devices necessary and proper to protect the inland waterways, navigable rivers and waterways and riparian lands of this State, in- cident to the borough of Seabright, Monmouth county, New Jersey, pursuant to chapter 318, Laws of 1920, .....	25,000 00

Salem river  
cut-off.

Carrying into effect the provisions of a bill pending, entitled "An act appropriating funds for the construction in part of a waterway connecting as a cut-off the Salem river, at or near the river wharves, in the city of Salem in a direct line with the mouth of the said Salem river where it empties into the Delaware river," provided said bill becomes a law, . . . . . 10,000 00

76,325 00

\$128,445 00

D 2. BOARD OF FISH AND GAME COMMISSIONERS.

Fish and  
Game.

For salaries and wages, and for the expenses of maintenance and operation of the New Jersey Board of Fish and Game Commissioners to include the expenses of administration and of the fish hatchery and the game farm:

All receipts from hunters' and anglers' licenses pursuant to the provisions of chapter 152 of the Laws of 1914.

All receipts, licenses and sales pursuant to the provisions of chapter 41 of the Laws of 1908.

All fines pursuant to the provisions of chapter 247 of the Laws of 1911.

Lapsed re-  
ceipts.

All such receipts as are above set forth, and any balance of receipts that may not have been disbursed

on or before the end of the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one, are hereby appropriated to the Board of Fish and Game Commissioners, but there may only be expended of said receipts and balance the amounts as itemized below, and for bills incurred during the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one, and no portion of any receipts shall lapse into the general funds of the State; *provided, however*, that an excess may be expended and is hereby appropriated above the amounts herein below indicated when expressly approved by the State House Commission, but limited to the amount of the receipts of the board for the fiscal year.

Proviso.

Salaries and wages, .....	\$112,455 00
Materials and Supplies:	
Food for birds, fish, poultry, horses; coal, wood, electricity, gas, farm, stable and grounds, and materials and supplies for farms and hatcheries, .....	\$28,000 00
Printing and office supplies, .....	5,100 00
Purchase of autos and boats, .....	6,000 00
Purchase of fish, game, eggs and poultry, .....	20,000 00
Gasoline, grease, oil, tires, tubes and maintenance of autos and boats, ....	22,000 00
	<hr/>
	81,100 00

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Current repairs, .....	5,800 00
Miscellaneous expenses:	
Wardens' and commissioner's expenses, .....	\$12,500 00
Postage, telephone, telegraph and insurance, ..	2,845 00
Miscellaneous expenses, ..	9,805 00
	<u>25,150 00</u>
Additions and improvements, .....	2,950 00
New buildings, .....	18,000 00
	<u>\$245,455 00</u>

## D 3. BOARD OF PUBLIC UTILITY COMMISSIONERS.

Public Utility  
Commission.

Salaries:	
Members of the Board, ..	\$37,500 00
Counsel, .....	7,500 00
Assistant to counsel, .....	3,600 00
Secretary, .....	5,000 00
Chief, Bureau of Utilities,	6,500 00
Engineers, inspectors, clerks, stenographers, and other employees, ..	73,000 00
For reporting hearings, ..	7,000 00
Expert engineers for special investigations, .....	10,000 00
	<u>\$150,100 00</u>
Traveling expenses, .....	7,500 00
Blanks, stationery and printing, .....	7,500 00
Postage and incidentals:	
Postage, .....	\$1,200 00
Incidentals, .....	1,200 00
	<u>2,400 00</u>
Miscellaneous:	
Rent of offices in Newark, \$6,000 00	
Insurance, .....	350 00
	<u>6,350 00</u>
	<u>\$173,850 00</u>

## D 4. BOARD OF SHELL FISHERIES.

Salaries :		Shell Fish- eries.
Director, .....	\$3,000 00	
Chief of bureaus, .....	4,900 00	
Captains of boats, crews, guards, clerks, et cetera, .....	29,420 00	
	<hr/>	
		\$37,320 00
Traveling expenses, .....		2,500 00
Blanks, stationery and print- ing, .....		250 00
Postage and incidentals, .....		900 00
Miscellaneous :		
Food, .....	\$1,250 00	
Fuel and power, for this purpose only, .....	2,000 00	
Current repairs, .....	1,000 00	
Insurance, for this purpose only, .....	600 00	
Surveying and mapping, ..	500 00	
Rent of offices, .....	240 00	
	<hr/>	
		5,590 00
		<hr/>
		\$46,560 00
		<hr/> <hr/>

## D 5. COUNTY BOARDS OF TAXATION.

For salaries of members of the county boards of taxation, .....	\$100,800 00	County tax boards.
	<hr/> <hr/>	

## D 6. DEPARTMENT OF BANKING AND INSURANCE.

Salaries :		Banking and Insurance.
Commissioner, .....	\$6,000 00	
Deputy Commissioner, ...	4,200 00	
Chief, compensation rating and inspection bureau, ..	4,000 00	
Chief, bureau of banking and insurance, .....	3,300 00	
Chief, building and loan di- vision, .....	3,000 00	
Department investigator, .	2,400 00	

Statistician, .....	2,280 00	
Examiners, building and loan, .....	41,880 00	
Examiners in miscellaneous investigations, et cetera, .....	750 00	
Clerks, stenographers and other employees, .....	31,800 00	
Two new examiners, .....	9,000 00	
Two new clerk-stenogra- phers, .....	1,920 00	
	<hr/>	\$110,530 00
Traveling expenses, .....		16,000 00
Blanks, stationery and printing, .....		10,000 00
Postage and incidentals:		
Postage, .....	\$4,000 00	
Incidentals, .....	600 00	
	<hr/>	4,600 00
Miscellaneous:		
Rental of statistical ma- chines, .....	\$1,200 00	
Appraisals of real estate, ..	300 00	
Express, freight and cart- age, .....	300 00	
Repairs to adding and typewriting machines, ..	400 00	
Subscriptions to magazines, manuals, et cetera, .....	150 00	
National convention, .....	75 00	
Compiling and printing val- uations, .....	100 00	
Membership fee, National Association of Super- visors of State Banks, ..	20 00	
Rent of safe deposit boxes and post-office boxes, ...	55 00	
	<hr/>	2,600 00

There is hereby appropriated all receipts necessary for the payment of examinations required by law, services and expenses of assistants, et cetera, hereto-

fore disbursed by said department prior to their deposit in State treasury.

\$143,730 00

D 7. DEPARTMENT OF CONSERVATION AND DEVELOPMENT.

Salaries:		Conservation and Develop- ment.
Director, .....	\$5,000 00	
State Geologist, .....	4,500 00	
Chief of testing laboratory,	3,900 00	
Assistant State Geologist, .	3,000 00	
State Firewarden, .....	3,300 00	
Firewardens, forest rangers,		
soil classifiers, laboratory		
assistants, engineers,		
clerical assistants and		
other employees, .....	41,030 00	
	<u>          </u>	\$60,730 00
Traveling expenses, .....		15,000 00
Blanks, stationery, printing and office sup- plies, .....		5,000 00
Postage and incidentals:		
Postage, .....	\$1,600 00	
Incidentals, .....	3,000 00	
Telephone and telegraph,..	800 00	
Freight and expressage,..	300 00	
	<u>          </u>	5,700 00
Miscellaneous:		
State's share of forest fires		
(for this purpose only), \$10,000 00		
Fuel and power (for this		
purpose only), .....	1,000 00	
Insurance, for this purpose		
only, .....	275 00	
Tax lieu on State forests, .	331 00	
Repairs, laboratory, State		
forest buildings, .....	300 00	
New laboratory equipment,	500 00	
Fire towers, installation		
and maintenance, .....	3,000 00	

## CHAPTER 137, LAWS OF 1921.

For the purchase of the McKonkey ferry house and the development of not more than ten acres of the State park at Washington's Crossing, 10,000 00	25,406 00
For steam gauging, dam inspection and water supply investigations, including salary of water engineer (\$3,300.00), such sum not exceeding \$33,300.00, as may be available in that fund pursuant to chapter 252, Laws of 1907, balance to remain to credit of fund (for this purpose only), .....	33,300 00
Maintenance of Washington's Crossing park, said sum appropriated from receipts, .....	400 00
	<u>\$145,536 00</u>
Less amount appropriated from receipts	33,700 00
	<u><u>\$111,836 00</u></u>

## D 8. DEPARTMENT OF HEALTH.

Health  
Department.

## Salaries:

Director, .....	\$5,000 00
Chief, division of adminis- tration, .....	3,360 00
Clerks, division of adminis- tration, .....	8,400 00
Chief, medical supervision	2750 00
Investigator, ice cream in- vestigation, .....	2,500 00
Chief, local health adminis- tration, .....	3,500 00
Epidemiologists, local health administration, ..	5,220 00
District health officer, local health administration,..	3,300 00

Additional health officer, local health administra- tion, .....	3,000 00	
Clerks, local health admin- istration, .....	8,880 00	
Public health nurse, .....	1,620 00	
Chief, food and drugs, ...	3,120 00	
Inspectors, food and drugs,	16,560 00	
Clerk, food and drugs, ....	1,080 00	
Chief, vital statistics, ....	3,360 00	
Clerks, vital statistics, ..	13,440 00	
Chief, engineering, .....	3,300 00	
Clerks, engineering, .....	4,080 00	
Inspectors and engineers, engineering, .....	14,200 00	
Director, laboratory, ....	4,000 00	
Chemists, laboratory, ....	9,060 00	
Motor boat captain, .....	1,680 00	
Bacteriologists (including two new), .....	9,120 00	
Laboratory technicians, (in- cluding two new), .....	8,670 00	
Laboratory clerks, .....	4,680 00	
	<hr/>	\$143,880 00
Traveling expenses, .....		30,000 00
Blanks, stationery and printing, .....		15,000 00
Postage and incidentals:		
Postage, .....	\$3,500 00	
Incidentals and sundry sup- plies, .....	15,000 00	
	<hr/>	18,500 00
Miscellaneous:		
Salaries and expenses, sup- plies and exhibit mate- rial for the Department of Child Hygiene, ....	\$150,000 00	
Salaries, expenses and sup- plies for the Bureau of Venereal Disease Control, should Fed- eral aid be available,		

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said sum not to exceed		
\$25,000.00, .....	35,000	00
Legal expenses incurred in the prosecution of State cases, .....	4,000	00
Sewage investigation pur- suant to chapter 126, Laws of 1920, .....	5,000	00
	<u>194,000</u>	00
		<u>\$401,380</u>
		00

## D 9. DEPARTMENT OF LABOR.

Labor  
Department.

## Salaries:

Commissioner of Labor, .	\$6,000	00
Commissioner Workmen's Compensation, .....	1,500	00
D e p u t y Commissioners Workmen's Compensa- tion (four), .....	12,000	00
Chiefs of bureaus (four),	15,500	00
Referee, .....	3,000	00
Examiners, inspectors, clerks, and other em- ployees, .....	115,000	00
	<u>\$153,000</u>	00
Traveling expenses, .....	23,000	00
Blanks, stationery and printing, .....	15,000	00
Postage and incidentals:		
Postage, .....	\$6,500	00
Incidentals, .....	4,000	00
	<u>10,500</u>	00
Miscellaneous:		
Farm Labor and State Em- ployment Bureau, .....	\$30,000	00
Rent of rooms in Newark, Jersey City, Paterson or other cities, .....	10,000	00

Support of Museum of Safety, Industrial coun- cils, et cetera, .....	12,500 00	
	<u>52,500 00</u>	
		<u>\$254,000 00</u>

## D IO. DEPARTMENT OF WEIGHTS AND MEASURES.

Salaries:		Weights and Measures.
Superintendent, .....	\$4,500 00	
Compensation for assist- ants, .....	9,360 00	
	<u>\$13,860 00</u>	
Traveling expenses, .....	2,500 00	
Blanks, stationery and printing, .....	500 00	
Postage and incidentals, .....	1,000 00	
	<u>\$17,860 00</u>	

## D II. HEALTH OFFICERS, PORT OF PERTH AMBOY.

Health officer of the port of Perth Am- boy, for salary, pursuant to chapter 328, Laws of 1906, .....	\$1,000 00	Health officer, Perth Amboy.
Deputy health officer, for salary, .....	250 00	
	<u>\$1,250 00</u>	

## D I2. STATE ATHLETIC COMMISSION.

Salaries:		Athletic Commission.
Commissioners, .....	\$7,500 00	
Secretary, .....	2,500 00	
Clerical services, .....	500 00	
	<u>\$10,500 00</u>	
Traveling expenses, .....	2,500 00	
Blanks, stationery and printing, .....	500 00	
Postage and incidentals, .....	300 00	
	<u>\$13,800 00</u>	

## CHAPTER 137, LAWS OF 1921.

## D 13. STATE BOARD OF TAXES AND ASSESSMENTS.

Taxes and  
Assessments.

## Salaries:

President, .....	\$5,000 00	
Members of the Board, ...	16,000 00	
Compensation for Secretary and other assistants, ..	52,320 60	
		<u>\$73,320 60</u>
Traveling expenses, .....	2,200 00	
Blanks, stationery and printing, .....	6,000 00	
Postage and incidentals:		
Postage, .....	\$750 00	
Incidentals, .....	600 00	
		<u>1,350 00</u>
Miscellaneous:		
Reclassification and reval- uation of railroad prop- erty, .....	\$10,000 00	
Filing cabinet, .....	1,000 00	
		<u>11,000 00</u>
		<u>\$93,870 60</u>

## D 14. STATE BOARD OF TENEMENT HOUSE SUPERVISION.

Tenement  
housing.

## Salaries:

Secretary and executive officer, .....	\$5,000 00	
Principal clerk, .....	2,400 00	
Plan examiners (two), ..	4,800 00	
Clerk, .....	1,320 00	
Inspector-clerks (five), ..	9,900 00	
Chief stenographer, .....	1,680 00	
Stenographers (eight), in- cluding two additional, ..	8,500 00	
Chief inspector, .....	2,400 00	
Inspectors (thirty), .....	56,760 00	
		<u>\$92,760 00</u>
Traveling expenses, .....	6,250 00	
Blanks, stationery and printing, .....	1,000 00	
Postage and incidentals, .....	2,600 00	

Miscellaneous:

Rent of offices, . . . . .	\$2,500 00	
Furniture and fixtures, . . . . .	500 00	
	<u>          </u>	3,000 00
		<u>          </u>
		<u>\$105,610 00</u>

D 15. COMMISSION FOR OBTAINING VALUATION OF STREET RAILWAY AND TRACTION COMPANIES.

Carrying into effect the provisions of chapter 351, Laws of 1920, providing for the valuation of street railway property in this State, said sum to include payment of expenses incurred during the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one, . . . . .		Valuing trolley roads.
	<u>\$8,000 00</u>	

D 16. DEPARTMENT OF STATE POLICE.

Carrying into effect the provisions of a bill pending, entitled "An act creating a Department of State Police, providing for the appointment of a superintendent thereof, together with the officers and men who shall constitute the force, defining their powers and duties, and making an appropriation for the expenses connected therewith," provided said bill becomes a law, . . . . .		State police.
	<u>\$200,000 00</u>	

E. EDUCATIONAL.

E I. AGRICULTURAL COLLEGE.

To the treasurer of Rutgers college, to pay the State Agricultural College, for the benefit of agriculture and the mechanic arts, pursuant to chapter 90 of the Laws of 1905, and amendments thereto, . . . . .		Agricultural College.
	<u>\$42,000 00</u>	

Salaries, supplies and all other expenses for the maintenance of short courses in practical and scientific agriculture, pursuant to chapter 55 of the Laws of 1905, and chapter 43 of the Laws of 1907, .....	25,000 00
Reference books and periodicals, .....	4,000 00
Long courses in agriculture, .....	35,000 00
Summer sessions, .....	22,500 00
Farm buildings, for maintenance and repair, .....	4,000 00
Clay working and ceramics, .....	7,500 00
Agricultural building, for maintenance, ..	3,000 00
Horticultural building, maintenance, ...	2,000 00
Courses in engineering, .....	15,000 00
Courses in chemistry, .....	8,000 00
Courses in sanitary science and sanitary engineering, .....	3,000 00
Courses in military science, .....	2,500 00
Courses in education, .....	8,000 00
To the treasurer of Rutgers college, for interest on \$116,000, certificates of indebtedness of the State of New Jersey, due July first, one thousand nine hundred and twenty-one, and January first, one thousand nine hundred and twenty-two, pursuant to the provisions of chapter 135 of the Laws of 1896, ....	5,800 00
Board of visitors, for expenses, .....	50 00
Advertising free scholarships, pursuant to chapter 9, Laws of 1879, .....	100 00
College for women, .....	100,000 00
Equipment for dairy—chemistry and bacteriology, .....	2,500 00
Extension of Agricultural Library, .....	1,500 00
Pump and motor for water system at Horticultural Farm, .....	1,000 00
Drainage of dairy barn yards, .....	1,000 00
Storage building, .....	5,000 00
Erection of a work shop for crop department, .....	5,000 00

Educational building for poultry husbandry, *provided*, a satisfactory deed conveying a site for the building is duly executed and delivered by the proper officers of Rutgers college, in New Jersey, vesting title in the State of New Jersey, the sum of, ..... 85,000 00  
 Payment under this account to be made pursuant to chapter 2, Laws of 1920.

Proviso.

\$388,450 00

E 2. COMMISSIONER OF EDUCATION.

Salaries:		Educational Department.
Commissioner, .....	\$10,000 00	
Four assistant commissioners, .....	20,000 00	
Business manager, .....	5,000 00	
Chief examiner, .....	4,000 00	
Physical training superintendent, .....	5,000 00	
Assistant physical training superintendent, .....	2,500 00	
Physical training instructor, .....	3,000 00	
Inspector of buildings, ...	3,600 00	
Superintendent of industrial education, .....	3,400 00	
Inspector of accounts, ...	2,640 00	
Assistant in vocational work for girls, .....	500 00	
Statistician, .....	2,520 00	
Inspector of school accounts, .....	2,700 00	
Clerical services, .....	22,490 00	
Physical training summer school instructor, .....	900 00	
Clerk, .....	1,200 00	
	<u>89,450 00</u>	

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Traveling expenses, .....	7,000 00
Blanks, stationery and printing, including educational bulletin and school laws, ..	24,000 00
Postage and incidentals, .....	7,500 00
Miscellaneous:	
Office fixtures, .....	\$1,800 00
Legislative Manuals, .....	2,000 00
Expenses physical training work, .....	2,250 00
	<u>6,050 00</u>

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 65, Laws of 1909.

\$134,000 00

## E 3. COUNTY SUPERINTENDENTS.

County super- intendents.	For county superintendents, for salaries, payment to be made pursuant to chapter 65, Laws of 1909, .....	\$84,000 00
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## E 4. EVENING SCHOOLS FOR FOREIGN-BORN RESIDENTS.

Night schools for aliens.	For the purpose of carrying out the provi- sions of an act entitled "An act provid- ing 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, payment to be made pursuant to chapter 65, Laws of 1909, .....	\$23,650 00
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## E 5. INDUSTRIAL EDUCATION.

Industrial schools.	For payment to schools established for in- dustrial education, pursuant to chapter 78, Laws of 1909, .....	\$45,000 00
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Payments to schools for manual training, pursuant to Article 22, section 230, School Law of 1903, .....	390,000 00
Additional amount on account of defici- ency in the above item for the fiscal year ending June 30, 1921, .....	90,282 28

*Continuation Schools.*

To defray the expense which may be in- curred by the State Department of Pub- lic Instruction in carrying into effect the provisions of chapter 152, Laws of 1919, .....	10,000 00	Continuation schools.
Payments under this account to be made pursuant to chapter 2, Laws of 1920.	<u>535,282 28</u>	

E 6. MANUAL TRAINING AND INDUSTRIAL SCHOOL  
FOR COLORED YOUTH.

For salaries and wages, and for maintenance of the Manual Training and In- dustrial School for Colored Youth, on the basis of two hundred and sixty students: Salaries and wages:		Bordentown School.
Principal, .....	\$4,000 00	
Preceptress, .....	1,000 00	
Teachers, .....	23,500 00	
New employees, .....	3,020 00	
Other officers and em- ployees, .....	16,640 00	
Student labor, .....	3,000 00	
	<u>51,160 00</u>	
Materials and supplies:		
Food, .....	\$18,000 00	
Fuel, light and power (for this purpose only), .....	9,200 00	
Household supplies, .....	4,000 00	
Furniture and furnishings, .....	2,000 00	

Farm, stable and grounds, .	8,000 00	
Industrial shops, . . . . .	3,500 00	
School, . . . . .	3,500 00	
Medical and surgical, . . . . .	350 00	
Sundries, . . . . .	500 00	
Printing and office supplies,	500 00	
	<hr/>	49,550 00
Current repairs, . . . . .		8,500 00
Miscellaneous:		
Traveling expenses, includ-		
ing extension work, . . . . .	\$1,500 00	
Postage, . . . . .	400 00	
Telephone and telegraph, .	500 00	
Insurance (for this pur-		
pose only), . . . . .	700 00	
Advertising, . . . . .	300 00	
Entertainments, . . . . .	300 00	
Freight and express, . . . . .	200 00	
Water, . . . . .	1,000 00	
	<hr/>	4,900 00
Additions and improvements:		
Furnishing and equipping		
new buildings, . . . . .	\$15,000 00	
Machinery for printing,		
woodworking and ma-		
chine shop, . . . . .	3,250 00	
Renewals of live stock, . . .	2,500 00	
Fire protection and equip-		
ment, . . . . .	15,000 00	
New boiler and installa-		
tion, . . . . .	7,500 00	
Sewage disposal plant and		
sewer connections, . . . . .	1,000 00	
Trees, grading, roads and		
fencing, . . . . .	3,000 00	
Materials for permanent		
improvements, . . . . .	5,000 00	
Farm tractor, with plows		
and harrows, . . . . .	1,400 00	
	<hr/>	53,650 00

New buildings:	
Smoke house, slaughter house, butcher shop and storage in farm section, .	\$2,500 00
Cold storage and general stores building, . . . . .	10,000 00
	12,500 00
Appropriation, including estimated receipts, . . . . .	\$180,260 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, . . .	21,000 00
Payments under this account to be made pursuant to chapter 65, Laws of 1909.	
Net amount appropriated, . . . . .	\$159,260 00

E 7. NEW JERSEY SCHOOL FOR THE DEAF.

For salaries and wages, and for maintenance of the New Jersey School for the Deaf, on the basis of two hundred and twenty-five pupils:	School for Deaf.
Salaries and Wages:	
Superintendent, . . . . .	\$4,500 00
Principal, teachers and instructors, . . . . .	53,460 00
Other officers and employees, . . . . .	24,130 00
	\$82,090 00
Materials and supplies:	
Food, . . . . .	\$26,000 00
Clothing, . . . . .	3,500 00
Fuel, light and power (for this purpose only), . . . .	10,000 00
Household supplies, . . . .	4,000 00
Industrial shops, . . . . .	3,500 00
School supplies, . . . . .	3,500 00
Medical and surgical, . . . .	500 00

Printing and office supplies, .....	1,000 00	
Sundry supplies, .....	1,000 00	
		53,000 00
Current repairs, .....		6,000 00
Miscellaneous:		
Traveling expenses, .....	\$400 00	
Postage, .....	450 00	
Telephone and telegraph, .....	450 00	
Insurance (for this purpose only), .....	1,300 00	
Medical and surgical fees, .....	200 00	
Rental of gymnasium, .....	150 00	
Entertainment, .....	250 00	
Expressage, .....	300 00	
Cartage, .....	100 00	
Children's carfare, .....	250 00	
		3,850 00
Additions and improvements:		
Equipment for tailor shop, .....	\$300 00	
Equipment for printing shop, .....	1,376 00	
Equipment for carpenter shop, .....	1,090 00	
Motors and machines, .....	2,500 00	
Laboratory equipment, .....	500 00	
Enclosed automobile, .....	873 56	
Dental equipment, .....	500 00	
Fire escape, .....	1,200 00	
Repairs to fence, .....	200 00	
		8,539 56
New buildings:		
Primary unit, .....		300,000 00
Appropriation, including estimated receipts, .....		\$453,479 56
The receipts of the institution are hereby appropriated pursuant to chapter 153, Laws of 1918, estimated as amounting to .....		3,000 00
Net amount appropriated, .....		<u>\$450,479 56</u>

Payment under this account to be made pursuant to chapter 65, Laws of 1909, excepting the item of \$300,000 appropriated for primary unit.

## E 8. PUBLIC LIBRARY COMMISSION.

Salaries:		Library Com- mission.
Secretary, .....	\$400 00	
Librarian and organizer, .	3,000 00	
Assistant Librarian, .....	1,650 00	
Other employees, .....	4,000 00	
	<hr/>	\$9,050 00
Traveling expenses, .....		2,000 00
Blanks, stationery and printing, .....		1,500 00
Postage and incidentals:		
Express, .....	\$1,500 00	
Postage, .....	1,800 00	
	<hr/>	3,300 00
Miscellaneous:		
Operating materials and supplies, books and pamphlets, .....	\$20,000 00	
Formation and aid of school libraries, chapter 186, P. L. 1914, .....	9,000 00	
Donation to libraries, chap- ter 62, P. L. 1900, ....	300 00	
Summer school, .....	500 00	
	<hr/>	29,800 00
		<hr/> <hr/>
		\$45,650 00

## E 9. STATE BOARD OF EDUCATION.

Salaries:		State school board.
Clerical services, .....	\$1,200 00	
Traveling expenses, .....	1,500 00	
Blanks, stationery and print- ing, .....	500 00	
Postage and incidentals, ....	800 00	
	<hr/>	\$4,000 00

Payments under this account to be made pursuant to chapter 2, Laws of 1920.

E IO. STATE BOARD OF EXAMINERS.

Board of examiners.

Salaries:

Per diem of members writing questions, marking papers, services at examinations, extra help, et cetera, .....	\$5,000 00	
Senior clerk, .....	1,680 00	
Clerical services, .....	2,340 00	
		\$9,020 00
Traveling expenses, .....		300 00
Blanks, stationery and printing, .....		2,500 00
Postage and incidentals, .....		1,000 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.		\$12,820 00

E. II. STATE NORMAL SCHOOL, GLASSBORO.

Glassboro Normal School.

There is hereby appropriated the undischarged balance on the thirtieth day of June, one thousand nine hundred and twenty-one, of the appropriation made under item E-II, of chapter 353, Laws of 1920, for the purchase of site and erection of building or buildings thereon, for the establishment of a new State normal school, pursuant to chapter 76, Laws of 1913, and in addition thereto, the sum of ..... \$125,000 00

Proviso.

*provided*, that new bids are advertised for and received.

E 12. STATE NORMAL SCHOOL, MONTCLAIR.

For salaries and wages and for maintenance of the State Normal School, Montclair, on the basis of 600 students.

Montclair  
Normal  
School.

Salaries and wages:

Principal, .....	\$6,500 00	
Principal, for additional allowance for salary in lieu of the State providing a house of residence, .....	600 00	
Teachers, .....	66,068 00	
Other employees, .....	18,320 00	
	<hr/>	\$91,488 00

Materials and supplies:

Fuel, light and power (for this purpose only), ....	\$8,400 00	
School supplies, .....	10,000 00	
Printing and office supplies, .....	1,800 00	
Sundry supplies, .....	3,000 00	
	<hr/>	23,200 00

Current repairs, ..... 9,000 00

Miscellaneous:

Traveling expenses, .....	\$450 00	
Postage, .....	500 00	
Telephone and telegraph, .....	250 00	
Incidentals, .....	1,300 00	
Insurance (for this purpose only), .....	3,500 00	
	<hr/>	6,000 00

Practice teaching (for this purpose only), ..... 13,500 00

For the expenses of maintenance of the boarding halls there is hereby appropriated all the receipts therefrom pursuant to the provisions of chapter 58 of the Laws of 1910, and all receipts from the said boarding halls, for the current fiscal year that may not have been disbursed on or before June thirtieth, one thousand nine hundred and twenty-one,

## CHAPTER 137, LAWS OF 1921.

shall be held in trust in the State treasury, subject to the provisions of chapter 58 of the Laws of 1910. Payments under this account to be made pursuant to chapter 65, Laws of 1909.

\$143,188 00

## E 13. STATE NORMAL SCHOOL, NEWARK.

Newark  
Normal  
School.

For salaries and wages, and for maintenance of the State Normal School, Newark, on the basis of 900 students:

Salaries and wages:

Principal, .....	\$6,500 00
Teachers, .....	106,336 00
Other employees, .....	18,360 00

\$131,196 00

Materials and supplies:

Fuel, light and power (for this purpose only), .....	\$6,500 00
School supplies, .....	11,000 00
Printing and office supplies, .....	2,500 00
Sundry supplies, .....	1,500 00
Laying walks, .....	500 00

22,000 00

Current repairs, .....

2,500 00

Miscellaneous:

Traveling expenses, .....	\$1,200 00
Postage, .....	500 00
Telephone and telegraph, ..	300 00
Insurance (for this purpose only), .....	200 00
Incidentals, .....	600 00

2,800 00

Practice teaching (for this purpose only),

14,000 00

Payments under this account to be made pursuant to chapter 2, Laws of 1920.

\$172,496 00

## E 14. STATE NORMAL SCHOOL, TRENTON.

For salaries and wages, and for the maintenance of the State Normal School, Trenton, on the basis of nine hundred students.

Trenton  
Normal  
School.

Salaries and wages:

Principal, .....	\$6,500 00	
Teachers, .....	110,500 00	
Other employees, .....	19,338 00	
	<hr/>	\$136,338 00

Materials and supplies:

Fuel, light and power (for this purpose only), .....	\$7,000 00	
School supplies, .....	11,000 00	
Printing and office supplies, .....	2,500 00	
Sundry supplies, .....	550 00	
	<hr/>	21,050 00

Current repairs, Normal School and Boarding Hall, .....	20,000 00	
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Miscellaneous:

Traveling expenses, .....	\$350 00	
Postage, .....	500 00	
Telephone and telegraph, ..	350 00	
Insurance, for this purpose only, .....	2,000 00	
Incidentals, .....	900 00	
	<hr/>	4,100 00

Practice teaching, for this purpose only, ..	10,000 00	
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Additions and Improvements:

Slate roof on Auditorium, ..	\$3,000 00	
Tin roof on Center Hall, ..	1,200 00	
Showers in South Hall, ..	2,000 00	
	<hr/>	6,200 00

For the expenses of maintenance of the boarding halls there is hereby appropriated all the receipts therefrom pursuant to the provisions of chapter 58, Laws of 1910, and all receipts from the said boarding halls, for the current fiscal year that may not have been disbursed on or before June 30th, 1921, shall be

held in trust in the State treasury, subject to the provisions of chapter 58, Laws of 1910.

All receipts from proceeds of sales of the lunch room are hereby reappropriated for the uses of said lunch room.

Payments under this account to be made pursuant to chapter 65, Laws of 1909.

\$197,688 00

E 15. STATE SCHOOL TAX.

Reducing  
school tax.

For the purpose of reducing the State school tax, to be assessed for the year 1921, .....

\$100,000 00

E 16. SUMMER COURSES IN AGRICULTURE.

Summer  
schools.

For the expenses of instructors and employees, and for printing, postage, and other incidental expenses for summer schools, for the purpose of carrying out the provisions of chapter 310, Laws of 1913, payments to be made as provided by chapter 2, Laws of 1920, ...

\$15,000 00

E 17. TEACHERS' INSTITUTES.

Institutes.

Expenses of teachers' institutes, .....  
Payments under this account to be made pursuant to chapter 2, Laws of 1920.

\$4,000 00

E 18. TEACHERS' LIBRARIES.

Teachers'  
libraries.

Establishment and maintenance of libraries for use of teachers, .....  
Payments under this account to be made pursuant to chapter 2, Laws of 1920.

\$400 00

E 19. TEACHERS' RETIREMENT FUND—PENSION AND ANNUITY FUND.

State Treasurer, for expenses incurred in connection with the fund, pursuant to chapter 80, Laws of 1919.		Retirement Fund.
Salaries of clerks, . . . . .	\$5,400 00	
Blanks, stationery, printing, postage, and incidentals, . . . . .	250 00	
	<hr/>	
		\$5,650 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.		<hr/> <hr/>

E 20. VOCATIONAL SCHOOLS.

For the purpose of carrying into effect the provisions of chapter 76, Laws of 1916, which provides for the appropriation of State funds for the purpose of carrying out the provisions of chapter 294 of the Laws of 1913, which authorized State aid for vocational schools, . . . . .		Vocation schools.
	\$134,490 67	
Amount required to meet deficiency in the above item for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one, . . . . .		
	56,490 67	
For the purpose of carrying into effect the provisions of chapter 119, Laws of 1917, which provides that the State shall appropriate a sum not less than the maximum amount received from the Federal government under an act of Congress, which provides for Federal co-operation in the promotion of such education as agriculture and the trades and industries, and for the proper preparation of teachers of vocational subjects, . . . . .		
	27,685 88	

## CHAPTER 137, LAWS OF 1921.

State supervision, .....	1,000 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.	

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\$219,667 22

## E 21. STATE NORMAL SCHOOL, JERSEY CITY.

Jersey City  
Normal  
School.

To acquire a site upon which to erect a normal school in Hudson county, ....	\$100,000 00
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## F. AGRICULTURAL.

## F 1. AGRICULTURAL EXPERIMENT STATION.

Experiment  
Station.

For salaries and wages and for the expenses of maintenance and operation of the New Jersey Agricultural Experiment Station at New Brunswick, and its authorized activities, .....	\$78,000 00
Printing bulletins and circulars, .....	15,000 00
Abolishing mosquito-breeding salt marshes, pursuant to chapter 134, Laws of 1906, .....	15,000 00
Investigation of oyster propagation, pursuant to chapter 187, Laws of 1907,...	1,600 00
Department of Poultry Husbandry, pursuant to chapter 52, Laws of 1911,....	17,000 00
Seed inspection, pursuant to chapter 228, Laws of 1916, .....	7,500 00
Experimental work in vegetable production, .....	3,000 00
Insecticide inspection, pursuant to chapter 89, Laws of 1912, .....	1,000 00
Farm demonstration, pursuant to the provisions of chapter 364, Laws of 1913, and other agricultural extension work, .....	65,000 00
Cranberry investigation, .....	5,000 00
Egg-laying and breeding tests, pursuant to the provisions of chapter 16, Laws of 1916, .....	10,000 00

For experimental work in growing white potatoes, sweet potatoes and tomatoes, .....	10,000 00
Repairs to the Experiment Station building, .....	850 00
Legume inoculation inspection, .....	2,000 00
Poultry exhibitions and premiums, pursuant to chapter 201, Laws of 1920,...	6,000 00
Sewage investigation, pursuant to chapter 126, P. L. 1920, .....	5,000 00
For the purpose of carrying into effect the provisions of chapter 75, Laws of 1920, .....	3,000 00
All fees and receipts of the Experiment Station are hereby appropriated for the uses of the station.	

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\$244,950 00

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## F 2. DEPARTMENT OF AGRICULTURE.

Salaries:		Agricultural Department.
Secretary, .....	\$5,000 00	
Chief, Animal Industry Bureau, .....	4,500 00	
Chief, Land and Markets Bureau, .....	3,600 00	
Chief, Bureau of Statistics and Inspection, .....	2,500 00	
Assistant Director Institutes, .....	2,400 00	
Specialist, dairy products, ..	3,000 00	
Chief inspector, Animal industry, .....	2,400 00	
Inspectors, Animal Industry (eight), .....	17,640 00	
Transportation specialist, .	2,500 00	
Market reporter, .....	1,800 00	
Bee inspector, .....	2,100 00	
Veterinary services, .....	1,500 00	
Lectures at farmers' institutes, .....	2,000 00	

Compensation for scientific and clerical services, . . .	28,100 00	
Extra clerical services, . . .	650 00	
	<hr/>	\$79,690 00
Traveling expenses, . . . . .		26,000 00
Blanks, stationery and printing, includ- ing office furniture, . . . . .		11,000 00
Postage and incidentals, . . . . .		4,000 00
Telephone and telegraph, . . . . .		3,000 00
Miscellaneous:		
Appraisalment of and in- demnification for con- demned cattle, . . . . .	\$75,000 00	
Hog cholera extermina- tion, . . . . .	10,000 00	
Extermination of Japanese beetle, . . . . .	15,000 00	
Drugs, chemicals, instru- ments, et cetera, . . . . .	4,500 00	
Exhibits, halls, judging, et cetera, . . . . .	2,500 00	
For the purpose of appor- tioning and paying to the county boards of agricul- ture of the State, in its dis- cretion, sums of money to be devoted by said county boards to the collection of and reporting to the State Board crop and other agri- cultural statistics, and for educational purposes, . . . . .	1,000 00	
Gypsy moth extermination, . . . . .	125,000 00	
Extension of work in Bureau of Markets (for this pur- pose only), . . . . .	2,000 00	
	<hr/>	235,000 00

All fees and receipts received pursuant to a bill pending, entitled "A supplement to an act entitled 'An act to establish a Department of Agriculture, and to prescribe its powers and duties,' approved

March twenty-ninth, one thousand nine hundred and sixteen, and amendments thereof and supplements thereto," known as Assembly Bill No. 6, are hereby appropriated as provided in the bill, provided said bill becomes a law.

\$358,690 00

F 3. STATE HORTICULTURAL SOCIETY.

For salaries, and for the expenses of the New Jersey State Horticultural Society, pursuant to chapter 141, Laws of 1911, .....	\$3,000 00	Horticulture.
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G. MILITARY.

G I. ADJUTANT-GENERAL'S DEPARTMENT.

Salaries:		Adjutant-General.
Adjutant-General, .....	\$5,000 00	
Deputy Adjutant-General, .....	4,000 00	
Clerical services, .....	22,980 00	
Assistant Adjutant-General and Assistant Quartermaster-General, G. A. R., .....	100 00	
	\$32,080 00	
Blanks, stationery and printing, .....	3,300 00	
Postage and incidentals, .....	3,250 00	
Miscellaneous:		
Filing cases, .....	\$1,000 00	
Exchange of automobile, .	3,000 00	
	4,000 00	
	\$42,630 00	

G 2. NATIONAL GUARD.

*Maintenance of Organizations.*

Allowance for brigade, regimental and battalion head-		Military.
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quarters, infantry, cavalry, artillery and engineers, ..	\$10,000 00	
Allowance to companies of infantry, thirty-eight (38) at \$200.00 each, .....	7,600 00	
Allowance to eight (8) troops of cavalry at \$2,500.00 each, .....	20,000 00	
Allowance to four (4) com- panies of C. A. corps at \$200.00, .....	800 00	
Allowance to six (6) bat- teries of light field artillery at \$2,000.00 each, .....	12,000 00	
Allowance to five (5) com- panies of engineers at \$200.00 each, .....	1,000 00	
Allowance to one (1) Divi- sional Signal Corps Com- pany, .....	2,000 00	
Allowance to two (2) field hospitals, at \$500.00 each,	1,000 00	
Allowance to one (1) Ambu- lance Company, .....	500 00	
Caretaker of military equip- ment, signal corps, .....	1,200 00	
	<hr/>	\$56,100 00

*Maintenance of Armories, Arsenals and Camp Grounds.*

Armories, etc.	Allowance for rent of quar- ters, heat and light and miscellaneous expenses for companies and troops sta- tioned in towns and cities where no State-owned ar- mories are maintained: Passaic, Union, Mt. Holly, Burlington, Millville, Vine- land, Westfield, Salem, Ho- boken and Atlantic City, .	\$10,000 00
	State camp grounds, salaries, wages and maintenance, .	10,000 00

State arsenal, maintenance, . . . . .	1,800 00	
Regimental armories at Jersey City, Camden, Newark, Paterson and Trenton, maintenance, . . . . .	22,500 00	
Troop, battery and battalion Armories at Newark, East Orange, Camden, Elizabeth, Red Bank and Orange, maintenance, . . . . .	23,000 00	
Company armories at Somerville, Hackensack, Bridgeton, Asbury Park, New Brunswick and Morristown, maintenance, . . . . .	7,000 00	
Insurance (for this purpose only), . . . . .	8,742 30	
Extraordinary repairs, alterations, additions, furnishings for the preservation of equipment and completion of regimental, troop, battery, battalion and company armories, . . . . .	10,000 00	
For rent of drill hall for headquarters and machine gun troops, cavalry, . . . . .	2,000 00	
		95,042 30

*Armory Instruction and Field Training.*

Transportation and expenses for battalion drills, inspection, parades and pay and expenses of inspecting officers, et cetera, . . . . .	\$7,000 00	Military instruction.
Compensation of officers and employees and expenses incurred in connection with rifle practice, . . . . .	12,000 00	
Salary of clerk to inspector-instructor, . . . . .	1,000 00	

Compensation of officers and enlisted men and expenses in connection with the annual encampment, . . . . .	50,000 00	
	<hr/>	70,000 00

*General Maintenance Expenses.*

Ordnance stores, uniforms, clothing, camp and garrison equipage, freight, expressage and miscellaneous supplies, . . . . .	\$10,000 00	
Military boards and courts-martial, expenses, . . . . .	1,000 00	
Transportation of disabled soldiers of the late Rebellion and the Spanish-American War, . . . . .	30 00	
Uniforms and equipment of officers of regiments, troops, batteries, companies of the National Guard and Naval Militia, . . . . .	4,500 00	
	<hr/>	15,530 00

*Armory Construction.*

New arm- ories.	Construction of armory at Passaic, pursuant to chapter 158, Laws of 1917, . . .	\$50,000 00	
	Construction of armory at Salem, pursuant to chapter 226, Laws of 1913, . . . . .	25,000 00	
	Construction of armory at Mount Holly, pursuant to chapter 254, Laws of 1907, . . . . .	25,000 00	
		<hr/>	100,000 00

*Claims.*

Claims.	Claim of medical and inspecting officers for pay and expenses examining recruits	
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for the National Guard during the fiscal year one thousand nine hundred and twenty-one, .....	\$677 38	
Claims of members of the State Military Board for services from October twenty-one, one thousand nine hundred and fifteen, to July thirty-first, one thousand nine hundred and seventeen, .....	200 00	
Claim of the New York, New Haven and Hartford Railroad Company for transportation furnished field artillery and cavalry units of the National Guard of this State during the Connecticut Maneuver campaign, ..	551 60	
Claim of A. St. John Boycott for the loss of one horse by the Sixth Infantry regiment, during the annual encampment, July, one thousand nine hundred and twenty, .....	100 00	
	<hr/>	1,527 98
		<hr/> <hr/>
		\$338,201 28

## G 3. NAVAL MILITIA RESERVE.

*First Battalion.*

Allowance for miscellaneous expenses in lieu of company allowance, .....	\$1,500 00	Naval Reserve.
Allowance for Battalion Headquarters, .	300 00	

*Second Battalion.*

Allowance for miscellaneous expenses in lieu of company allowance, .....	1,500 00
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## CHAPTER 137, LAWS OF 1921.

Allowance of Battalion Headquarters, ..	300 00
For pay, expenses, etc., of officers and enlisted men on annual cruise and prac- tice cruises, .....	3,000 00
	<u>\$6,600 00</u>

## G 4. QUARTERMASTER-GENERAL'S DEPARTMENT.

Quartermas-  
ter-General.

## Salaries:

Quartermaster-General, ..	\$5,000 00
Chief Clerk, .....	2,500 00
Chief of Quartermaster's corps, .....	3,000 00
Compensation of assistants	11,240 00
New stenographer, .....	900 00
Compensation of Arsenal employees, .....	6,480 00
	<u>\$29,120 00</u>
Blanks, stationery and printing, .....	500 00
Postage and incidentals, .....	800 00
	<u>\$30,420 00</u>

## G 5. SEA GIRT COTTAGE.

Governor's  
cottage.

For maintenance of cottage at Sea Girt and entertainment therein, .....	<u>\$6,000 00</u>
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## H. PENSION AND RETIREMENT FUNDS.

## H 1. ANNUITY FOR WIDOWS OF GOVERNORS.

Pension for  
Governors'  
widows.

For annuities for the widows of Govern- ors of New Jersey, at the rate of \$2,500.00 per annum each, .....	<u>\$7,500 00</u>
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## H 2. JUDICIAL RETIREMENT FUND.

Pension for  
judges.

For the purpose of carrying out the pro-  
visions of chapter 313, Laws of 1908;

chapter 185, Laws of 1911; chapter 256, Laws of 1918, and chapter 107, Laws of 1920, ..... \$19,500 00

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H 3. PENSIONS.

For amount required to pay pensions pursuant to various acts relative thereto, irrespective of any provisions therein that pensions shall be made in the appropriation or tax levy for the department of the public service from which the pensioner shall be so retired,	Pensions.	\$21,000 00
Allowance to Randolph F. Disbrow, a pensioner of this State, as commutation for two hands lost at Yorktown, Virginia, October 19, 1881, .....		100 00
		<hr/> \$21,100 00 <hr/>

J. CONSTRUCTIVE.

J I. COMMISSION ON ELIMINATION OF TOLL BRIDGES.

Expenses of the commission appointed pursuant to chapter 297, Laws of 1912, .....	Free bridges.	\$1,000 00
Purchase of toll bridges, .....		50,000 00
Maintenance of free bridges now or to become State property, .....		10,000 00

There is hereby appropriated the undischarged balance on the thirtieth day of June, one thousand nine hundred and twenty-one, of the appropriations heretofore made for the purchase of toll bridges.

All moneys received from any source whatsoever, whether from the operation of bridges or from the State of Pennsylvania, as reimbursement for its proportion of maintenance of said bridges, is

hereby appropriated to the said commission to be used by them for maintenance of bridges and the payment to the State of Pennsylvania of their proportion of the earnings of said bridges.

\$61,000 00

Port develop-  
ment.

J 2. Commissioners to "The Port Authority" established by the agreement or compact between the States of New York and New Jersey within the "Port of New York District."

There is hereby appropriated to the New Jersey Commissioners to "The Port Authority" established by the agreement or compact between the States of New York and New Jersey within the "Port of New York District," for the expenses of said commissioners in connection with the development of the Port of New York, provided an act entitled "An act appointing commissioners to 'The Port Authority' established by the agreement or compact between the States of New York and New Jersey within the 'Port of New York District,' providing for the transfer of all the maps, plans and other properties in the possession of the commission appointed under chapter 130 of the Laws of 1917, and making an appropriation for the expenses of said commission," becomes a law, the sum of .....

\$100,000 00

Roads.

J 3. STATE HIGHWAY COMMISSION.

Proviso.

For the State road fund, exclusively for distribution to counties for construction of public roads; *provided, however,* that no part of said sum shall be used for the elimination of toll bridges, Carrying into effect the provisions of a bill pending entitled "An act making an

\$500,000 00

appropriation for State-aid purposes in the construction of the Long Beach boulevard from Surf City to Barnegat City in the county of Ocean," provided said bill becomes a law, . . . . . 13,000 00

And the receipts, as and when received, of the motor vehicle fund, less the amounts appropriated for maintenance of Department of Motor Vehicle Regulation and Registration and the State road tax and from Federal aid, and other contributions, sales of condemned property, penalties and damages for the violation of any law for the protection of roads pursuant to chapter 15, P. L. 1917, and the amount accruing thereto pursuant to chapter 230, P. L. 1917.

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\$513,000 00

## K. GENERAL.

## K 1. BURIAL GROUNDS.

For the care and maintenance of burial grounds, purchased by the State pursuant to chapter 171, Laws of 1898, . . . .	\$75 00	Shipwrecked bodies.
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## K 2. COMMISSIONERS OF PALISADES INTERSTATE PARK.

Expenses of commissioners in the operation of the Palisades Interstate Park, . .	\$65,000 00	Palisades Park.
For the purpose of carrying into effect the provisions of chapter 59, Laws of 1917, Henry Hudson Drive, . . . . .	50,000 00	
Construction of public bath house, . . . .	50,000 00	

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\$165,000 00

## CHAPTER 137, LAWS OF 1921.

## K 3. MONMOUTH BATTLE MONUMENT.

Freehold  
monument.

For the commission having in charge the Monmouth Battle Monument and grounds, pursuant to chapter 118, Laws of 1906, for maintenance, . . . . .	\$750 00
For reimbursement for bills incurred dur- ing the years 1914 and 1915, . . . . .	229 .58
	<hr/> \$979 58 <hr/>

## K 4. NEW JERSEY CONFERENCE FOR SOCIAL WELFARE.

Social Wel-  
fare report.

For printing and distributing the pro- ceedings of the annual conference of the New Jersey Conference for Social Welfare, for the year 1921, . . . . .	\$600 00
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## K 5. OLD BARRACKS ASSOCIATION.

Old Barracks.

For the Old Barracks Association of Trenton, New Jersey, for maintenance and administration of the Old Bar- racks, at Trenton, as a historical land- mark and repository, . . . . .	\$2,500 00
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## K 6. RED BANK BATTLE MONUMENT.

Red Bank  
monument.

To the board of chosen freeholders of the county of Gloucester, for the pur- pose of aiding in the care and supervi- sion of the Red Bank Battle Monu- ment in said county, and in the main- tenance of the ground upon which the same is located with which they are charged by the provisions of chapter 79, Laws of 1905, . . . . .	\$500 00
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K 7. REFUND OF RAILROAD TAX.

The Comptroller of the Treasury is hereby authorized and empowered to adjust and repay any overpayment of tax assessed and penalty thereon for any year, pursuant to chapter one hundred and eighty-eight, Laws of one thousand eight hundred and eighty-eight, and the acts amendatory thereof and supplementary thereto, made by any railroad and canal company, and the State Treasurer is directed to pay warrants therefor issued by the Comptroller, said payments shall be deducted from the amount originally paid into and remaining undistributed in the treasury of the State, and the amount of money necessary for such purpose as ascertained is hereby appropriated.

Refund of  
tax paid  
by railroads.

K 8. REFUNDING TAXES ON MISCELLANEOUS CORPORATIONS.

The Comptroller of the Treasury is hereby authorized and empowered to adjust and repay any overpayment of miscellaneous corporation taxes assessed and penalty thereon, for any year, and the State Treasurer is directed to pay warrants issued therefor by the Comptroller.

Refund of  
miscellaneous  
taxes.

K 9. REHABILITATION COMMISSION.

For the purpose of carrying into effect the provisions of chapter 74, Laws of 1919, .....	\$85,000 00	Rehabilitation
Vocational training, .....	15,000 00	
	\$100,000 00	
	\$100,000 00	

## K IO. STATE LIBRARY.

State Library.	Salaries:		
	Librarian, . . . . .	\$3,000 00	
	Law librarian, . . . . .	2,100 00	
	Librarian, war records, chapter 22, P. L. 1919, . . . . .	2,000 00	
	Reference Librarian, . . . . .	1,650 00	
	Clerical services, . . . . .	2,640 00	
	Director (war records), . . . . .	2,880 00	
			\$14,270 00
	Traveling expenses:		
	Expenses of librarian to national con- vention, . . . . .		100 00
	Blanks, stationery and printing, . . . . .		500 00
	Postage and incidentals, . . . . .		750 00
	Miscellaneous:		
	Repair, preservation and purchase of useful books, periodicals, newspapers and other publications, . . . . .	\$4,000 00	
	Legislative reference de- partment, . . . . .	400 00	
			4,400 00
			\$20,020 00

## K II. TRENTON BATTLE MONUMENT.

Trenton monument.	For the State House Commission for the purpose of keeping the Trenton Battle Monument and grounds in good condi- tion and repair, . . . . .	\$1,000 00
	All receipts of the monument are hereby appropriated for the use of the commission in addition to the above sum.	

K 12. WASHINGTON ASSOCIATION OF NEW JERSEY.

For the trustees of the Washington Association of New Jersey, pursuant to chapter 309, Laws of 1874, ..... \$2,500 00

Morristown headquarters.

K 13. WASHINGTON ROCK PARK COMMISSION.

For insurance, improvement and maintenance of Washington Rock Park, including incidentals, ..... \$1,500 00

Washington Rock.

K 14. COMMISSION ON PREPARATION AND PRESENTATION OF SERVICE MEDALS.

For the commission appointed to purchase and present medals, as provided by Joint Resolution number eight, Laws of 1919, approved April seventeenth, one thousand nine hundred and nineteen, ..... \$2,500 00

Service medals.

K 15. PUBLIC RECORD OFFICE.

Salary of director, clerical services, traveling and other necessary and incidental expenses, pursuant to chapter 46, Laws of 1920, ..... \$7,500 00

Records office.

K 16. COMMISSION TO MARK HISTORICAL SITES OF CAMDEN COUNTY.

There is hereby appropriated the undisbursed balance on the 30th day of June, 1921, of the appropriation made under item K 18, of chapter 353, Laws of 1920, to the commission to mark the historical sites of Camden county, from Colonial to the Revolutionary war period, pursuant to chapter 152, Laws of 1920.

Camden historical sites.

## K 17. CAMP MERRITT WAR MEMORIAL.

Camp Merritt marker.	For the erection of a war memorial commemorative of Camp Merritt, pursuant to chapter 311, Laws of 1920, . . . . .	<u>\$25,000 00</u>
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## L. STATE EMERGENCY FUND.

## L 1. STATE EMERGENCY FUND.

Emergencies.	For the Governor, the State Treasurer, and the State Comptroller, ex-officio, constituting the State House Commission, to meet any condition of emergency until legislation appropriate therefor shall be enacted, the sum of,	<u>\$200,000 00</u>
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Proviso.	<i>Provided, however,</i> that all disbursements therefrom shall be made only upon the written authority of each and all of the officials recited herein.
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## L 2. STATE INSURANCE FUND.

Insurance fund.	For the purpose of creating a fund for the restoration or repair of property owned by the State and which has been damaged by fire or earthquake, pursuant to chapter 123, P. L. 1913, . . . . .	<u>\$50,000 00</u>
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## X. INSTITUTIONS AND AGENCIES.

## X 1. DEPARTMENT OF INSTITUTIONS AND AGENCIES.

Institutions and Agencies.	Salaries:	
	Commissioner, . . . . .	\$10,000 00
	Secretary and Director of Administration, . . . . .	2,000 00
	Director of Labor and Ag- riculture, . . . . .	6,000 00
	Director of Parole and Do- mestic Relations, . . . . .	3,600 00
	Other officers and em- ployees, . . . . .	<u>49,860 00</u>
		\$71,460 00

Traveling expenses, .....	7,700 00
Blanks, stationery and printing, .....	3,500 00
Postage and incidentals, .....	3,500 00
Miscellaneous:	
Automobile expenses, ... \$3,500 00	
Deporting aliens and non-residents, .....	1,500 00
Printing standard dietary and handbook, .....	500 00
Furniture and fixtures, ..	500 00
Automobile exchange (for staff), .....	1,000 00
Expenses of arbitrator, ..	272 80
	<hr/>
	7,272 80
	<hr/> <hr/>

*Central Parole Bureau.*

Salaries:		Parole Bureau.
Parole officers, .....	\$24,100 00	
Other employees, .....	11,760 00	
	<hr/>	\$35,860 00
Traveling expenses, .....	8,500 00	
Blanks, stationery and printing, .....	850 00	
Postage and incidentals, .....	500 00	

*Industrial Supervision.*

Salaries:		Industrial supervision.
Farm supervisor, .....	\$3,300 00	
Assistant farm supervisor, .....	1,280 00	
Supervisor institutional industries, .....	3,000 00	
Clerical services and other employees, .....	5,040 00	
	<hr/>	12,620 00
Traveling expenses, .....	200 00	
Materials, supplies and miscellaneous expenses, .....	1,000 00	

There is hereby appropriated the undischarged balance on the thirtieth day of June, one thousand nine hundred and twenty-one, of the appropriation made

under Item x 1, chapter 353, Laws of 1920, for furniture and wood-working industry.

*State Use Funds.*

Working  
capital fund.

For the State Use Revolving Fund there is hereby appropriated the unexpended balance of the fund now known as the "State Use Working Capital Fund," and in accordance with the provisions of section 709, chapter 147 of the Laws of 1918, such portion of the receipts, when received, derived from State use production as will reimburse the State Use Revolving Fund to the amount of the previous appropriation of \$125,000.00.

Print shop, .....	\$12,000 00	
Tailor shop, .....	2,000 00	
Machine shop, .....	1,000 00	
Sheet metal and tin shop, and other shops, .....	8,000 00	
Envelope manufacturing in- dustry, .....	6,500 00	
Automobile tag shop, ....	16,915 00	
Safe-guarding machinery in tag shop, .....	470 00	
Concrete post and cement- working industry, .....	5,000 00	
	<hr/>	51,885 00
		<hr/>
		\$204,847 80
		<hr/> <hr/>

X 2. COLONIES FOR FEEBLE-MINDED MALES.

Colony for  
feeble-minded.

For salaries and wages, and for maintenance of the Colonies of Feeble-Minded Males, on the basis of one hundred and thirty inmates:

Salaries and wages:  
Superintendent, ..... \$3,000 00

Assistant superintendent,	1,800 00	
Other officers and employ-		
ees, .....	14,200 00	
Three new employees, ..	2,340 00	
	<hr/>	\$21,340 00
Materials and supplies:		
Food, .....	\$10,500 00	
Clothing, .....	4,500 00	
Fuel, light and power (for this purpose only), .....	4,000 00	
Household supplies, .....	3,000 00	
Farm, stables and grounds,	7,500 00	
Industrial shops, .....	1,000 00	
Medical and surgical, ...	650 00	
Printing and office sup-		
plies, .....	450 00	
School, .....	500 00	
Sundry supplies, .....	200 00	
Vehicular transportation supplies, .....	1,000 00	
	<hr/>	33,300 00
Current repairs, .....		1,000 00
Miscellaneous:		
Traveling expenses, .....	\$700 00	
Telephone and telegraph,	250 00	
Medical and surgical fees,	850 00	
Postage, .....	200 00	
Insurance (for this purpose only), .....	1,342,17	
Amusements, .....	500 00	
Sundries, .....	157 83	
	<hr/>	4,000 00
Additions and improvements:		
Chemical fire engine, .....	\$300 00	
Electric light plant, .....	1,250 00	
Electric sewing machine, ..	140 00	
Circular saw, .....	40 00	
Cereal and storage bin, ...	80 00	
Furnishing hospital ward, ..	3,000 00	
Passenger automobile, ....	2,000 00	
Gasoline storage tank, ....	300 00	
Road scraper, .....	250 00	

Concrete mixing machine, .....	350 00	
Root cellar, .....	436 00	
New roof on boiler room and laundry, .....	773 00	
Leaders and gutters, .....	460 00	
Roof on administration building, .....	824 00	
Water system for fire pre- vention, .....	645 00	
Remodeling farm house for living quarters, .....	3,000 00	
Fencing on new farm, ....	950 00	
Heating system for dormi- tory, .....	1,500 00	
Furnishing and equipping dormitories, .....	10,000 00	
	<hr/>	26,298 00
New buildings:		
Dairy barn, silo, and milk room, .....	\$10,000 00	
Piggery, .....	2,000 00	
Poultry house, .....	500 00	
Storage cellar, .....	2,000 00	
Electric generator building and garage, .....	1,400 00	
Building for employees, ...	15,000 00	
One-unit dormitory, .....	60,000 00	
Wells, water tower, water system, .....	10,000 00	
Sewage disposal plant, ad- ditional, .....	5,800 00	
	<hr/>	106,700 00
Appropriation, including estimated re- ceipts, .....	\$192,638 00	
The receipts of the institution are hereby appropriated for maintenance expendi- tures pursuant to chapter 153, Laws of 1918, estimated as amounting to.....	4,500 00	
Net amount appropriated, .....	<hr/> <hr/>	\$188,138 00

## X 3. COMMISSION FOR THE BLIND.

## Salaries:

Blind.

Superintendent and secretary, .....	\$1,980 00	
Teachers of occupational subjects and other employees, .....	16,900 00	
	<hr/>	\$18,880 00
Traveling expenses, .....		7,000 00
Blanks, stationery and printing, .....		800 00
Postage and incidentals:		
Postage, .....	\$300 00	
Incidentals, .....	800 00	
	<hr/>	1,100 00
Miscellaneous:		
Clothing, maintenance support and instruction of blind persons, .....	\$25,000 00	
Extension of home industries, .....	3,000 00	
Preventive work, .....	1,000 00	
Publicity, demonstrations and sales, .....	500 00	
Rent, No. 6 Franklin street, Newark, .....	1,800 00	
Light, .....	50 00	
Insurance, telephone and telegraph, .....	250 00	
Higher education of the blind, .....	300 00	
Alterations and equipment, .....	1,750 00	
	<hr/>	33,650 00

The balance to the credit of the Revolving Industrial Fund on the thirtieth day of June, 1921, is hereby appropriated as a Revolving Industrial Fund, said sum not to exceed \$1,000.00.

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\$61,430 00

## CHAPTER 137, LAWS OF 1921.

## X 4. COUNTY LUNATIC ASYLUMS.

County  
asylums.

For the support of patients in county lunatic asylums:

Atlantic county, . . . . .	\$31,434 00
Burlington county, . . . . .	28,561 00
Camden county, . . . . .	37,349 00
Cumberland county, . . . . .	24,843 00
Essex county, . . . . .	320,762 00
Gloucester county, . . . . .	1,521 00
Hudson county, . . . . .	142,467 00
Passaic county, . . . . .	3,549 00
Salem county, . . . . .	507 00
	<hr/>
	\$590,993 00
	<hr/> <hr/>

## X 5. COUNTY TUBERCULOSIS HOSPITALS.

Tuberculosis  
hospitals.For the support of patients pursuant to  
chapter 217, Laws of 1912, in the  
following county hospitals:

Atlantic, . . . . .	\$6,552 00
Bergen, . . . . .	24,960 00
Burlington, . . . . .	8,736 00
Camden, . . . . .	18,408 00
Cumberland, . . . . .	5,928 00
Essex, . . . . .	70,840 00
Gloucester, . . . . .	1,560 00
Hudson, . . . . .	52,432 00
Mercer, . . . . .	14,040 00
Middlesex, . . . . .	20,592 00
Monmouth, 1919, . . . . .	8,736 00
Monmouth, 1920, . . . . .	4,368 00
Morris, . . . . .	13,000 00
Passaic, . . . . .	23,400 00
Salem, . . . . .	2,496 00
Union, . . . . .	65,208 00
	<hr/>
	\$341,256 00
	<hr/> <hr/>

Said amounts to include payment of  
bills prior to current fiscal year.

## X 6. FEEBLE MINDED.

Clothing, maintenance, support and instruction of feeble-minded persons,...	\$150,000 00	Feeble-minded.
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## X 7. HOME FOR DISABLED SOLDIERS, KEARNY.

For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Kearny, on the basis of three hundred and eighty inmates.		Kearny home.
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## Salaries and wages:

Superintendent, .....	\$2,500 00	
Secretary, .....	900 00	
Surgeon, .....	2,000 00	
Other officers and employees, .....	51,704 00	
	\$57,104 00	

## Materials and supplies:

Food, .....	\$75,000 00	
Clothing, .....	10,000 00	
Fuel, light and power for this purpose only, .....	22,227 00	
Household supplies, .....	7,500 00	
Farm, stable and grounds, .....	2,000 00	
Printing and office supplies, .....	500 00	
Sundry supplies, .....	100 00	
Medical and surgical, ....	1,900 00	
Vehicular transportation supplies, .....	1,000 00	
	120,227 00	

Current repairs, .....		8,000 00
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## Miscellaneous:

Traveling expenses, .....	\$200 00
Postage, .....	150 00
Telephone and telegraph, ..	400 00
Funeral expenses, .....	900 00
Out-patients' allowance, ..	540 00
Entertainments, .....	500 00
Freight and express, .....	400 00
City water, .....	710 00

Insurance for this purpose only, .....	1,800 00	
Bond of superintendent, ..	30 00	
Incidentals, .....	300 00	
		5,930 00
Additions and improvements:		
Painting all buildings on outside, .....	\$6,000 00	
New plumbing and electric fixtures, .....	10,000 00	
Four additional hydrants for fire protection and mains, .....	4,980 00	
Automobile, .....	975 00	
New appliances in laundry, .....	2,000 00	
		23,955 00
Appropriation, including estimated receipts, .....	\$215,216 00	
The receipts of the institution are hereby appropriated for maintenance expenditures pursuant to chapter 153, Laws of 1918, estimated as amounting to,...	32,100 00	
		<u>\$183,116 00</u>

X 8. HOME FOR DISABLED SOLDIERS, ET CETERA,  
VINELAND.

Vineland  
home.

For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Sailors, et cetera, Vineland, on the basis of three hundred and forty inmates.

Salaries and wages:

Superintendent, .....	\$4,500 00	
Other officers and employees, .....	49,740 00	
		\$54,240 00

Materials and supplies:

Food, .....	\$70,000 00
Clothing, .....	8,000 00

Fuel, light and power (for this purpose only), . . . .	21,000 00	
Household supplies, . . . .	7,500 00	
Farm, stable and grounds, . . . .	1,000 00	
Medical and surgical, . . . .	1,500 00	
Printing and office supplies, . . . . .	800 00	
Sundry supplies, . . . . .	500 00	
Vehicular transportation supplies, . . . . .	1,000 00	
	<hr/>	111,300 00
Current repairs, . . . . .		7,500 00
Miscellaneous:		
Traveling expenses, . . . .	\$400 00	
Postage, . . . . .	100 00	
Telephone and telegraph, . . . . .	400 00	
Religious services, . . . . .	300 00	
Amusements, . . . . .	500 00	
Insurance (for this purpose only), . . . . .	766 10	
Freight and express, . . . .	333 90	
	<hr/>	2,800 00
Additions and improvements:		
Repairs to hospital, . . . .	\$14,350 00	
Painting outside woodwork on all buildings, . . . . .	5,000 00	
Blanket sterilizer, . . . . .	600 00	
New range in main kitchen, . . . . .	600 00	
Remodeling garage and carpenter shop for employees dormitory, . . . . .	1,800 00	
Remodeling wagon and machine house for employees' dormitory, . . . . .	2,100 00	
One ton truck, . . . . .	1,000 00	
Mastic covering for dining room floor, . . . . .	1,800 00	
Floor covering for old building, . . . . .	200 00	
Painting main dining room, . . . . .	400 00	
Electric fixtures for sitting room and halls, . . . . .	200 00	

Tops for dining room tables, .....	1,540 00	
Mastic floor in toilet rooms, .....	1,200 00	
Installing internal telephone system, .....	500 00	
Renovating home for laundry help, .....	2,500 00	
Furniture for employees, .	1,225 00	
Washing machine and steam pressing machine, .	5,000 00	
Automobile repairs, .....	500 00	
Player piano, .....	850 00	
Two new elevators and completion of fire walls and stairs, .....	12,000 00	
		53,365 00

The undisbursed balances on the 30th day of June, 1921, of the appropriations made under item X8 of chapter 353, Laws of 1920 for bricking up elevator shaft \$5,000.00 and fire proof stairs \$7,500.00 are hereby appropriated for two new elevators and completion of fire walls and stairs in addition to the sum above appropriated.

Appropriation, including estimated receipts, .....	\$229,205 00
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, .....	8,250 00
Net amount appropriated, .....	\$220,955 00

## X 9. REFORMATORY.

Rahway reformatory.

For salaries and wages, and for maintenance of the Reformatory, on the

basis of five hundred and seventy-five inmates.

## Salaries and wages:

Superintendent, .....	\$5,000 00	
Superintendent, for additional allowance for salary, in lieu of the State providing a house of residence as contemplated by statute, .....	660 00	
Physician, .....	1,200 00	
Bookkeeper, .....	1,200 00	
Additional officers for yard	3,000 00	
Instructor in domestic department, .....	1,500 00	
Other officers and employees, .....	100,000 00	
		\$112,560 00

## Materials and supplies:

Food, .....	\$62,000 00	
Clothing, .....	25,000 00	
Fuel, light, power and water (for this purpose only), .....	30,420 00	
Household, .....	10,000 00	
Farm, stable and grounds, .....	14,500 00	
Industrial shops and vocational, .....	2,000 00	
School, .....	1,500 00	
Medical and surgical, ....	2,500 00	
Printing and office supplies, .....	1,500 00	
Sundries, .....	750 00	
Vehicular transportation supplies, .....	2,500 00	
		152,670 00
Current repairs, .....		11,000 00

## Miscellaneous:

Traveling expenses, .....	\$500 00
Postage, .....	500 00
Telephone and telegraph, .	500 00
Medical and surgical fees,	750 00
Incidentals, .....	100 00

## CHAPTER 137, LAWS OF 1921.

Freight and express, . . . .	750 00	
Entertainment, . . . . .	500 00	
Funeral expenses, . . . . .	60 00	
Annual inventory, . . . . .	200 00	
Rent of farm land, . . . . .	300 00	
Payments to discharged inmates and recapturing escapes, . . . . .	3,000 00	
	<hr/>	7,160 00
Additions and improvements:		
One new boiler, . . . . .	\$12,500 00	
New bake oven, . . . . .	3,000 00	
Machine shop, . . . . .	4,000 00	
Electrical shop, . . . . .	3,000 00	
Industrial shop, . . . . .	3,000 00	
	<hr/>	25,500 00
Appropriation, including estimated receipts, . . . . .	\$308,890 00	
The receipts of the institution are here- by appropriated for maintenance ex- penditures pursuant to chapter 153, Laws of 1918, estimated as amount- ing to . . . . .		2,000 00
		<hr/>
Net amount appropriated, . . . . .	\$306,890 00	
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## X IO. REFORMATORY FOR WOMEN.

Women's re-  
formatory.

For salaries and wages, and for main-  
tenance of the Reformatory for Women,  
on the basis of one hundred and fifty  
inmates.

Salaries and wages:		
Superintendent, . . . . .	\$3,000 00	
Assistant superintendent, . . . . .	1,800 00	
Other officers and em- ployees, . . . . .	19,139 00	
	<hr/>	\$23,939 00
Materials and supplies:		
Food, . . . . .	\$7,000 00	
Clothing, . . . . .	6,000 00	

Fuel, light and power (for this purpose only), . . . .	9,000 00	
Household supplies, . . . .	3,750 00	
Farm, stable and grounds, . . . .	8,500 00	
Medical and surgical, . . . .	1,500 00	
Printing and office supplies, . . . .	700 00	
School supplies, . . . . .	700 00	
Vehicular transportation supplies, . . . . .	1,500 00	
	<hr/>	38,650 00
Current repairs, . . . . .		3,000 00
Miscellaneous:		
Traveling expenses, . . . .	\$900 00	
Postage, . . . . .	250 00	
Telephone and telegraph, . . . .	500 00	
Insurance (for this purpose only), . . . . .	5,000 00	
Freight and express, . . . .	350 00	
Religious services, . . . . .	300 00	
Inventory and appraisal, . . . .	225 00	
Entertainment, . . . . .	150 00	
Return of runaways, . . . .	50 00	
Funeral expenses, . . . . .	50 00	
Annual reports, . . . . .	125 00	
Medical and surgical fees, . . . .	750 00	
	<hr/>	8,650 00
Additions and improvements:		
Roads, gutters and grading	\$5,000 00	
Artesian well and pump, . . . .	11,150 00	
Sewage disposal, . . . . .	4,700 00	
Equipment for Maternity Cottage, . . . . .	4,000 00	
Equipment for laundry, . . . .	15,000 00	
Exchange of electric sterilizer for steam pressure sterilizer, . . . . .	1,451 30	
Wagon scales, . . . . .	750 00	
Fencing, . . . . .	1,000 00	
	<hr/>	43,051 30

## New buildings:

Housing for help, . . . . .	\$13,320 00	
Piggery, . . . . .	2,000 00	
		15,320 00

Appropriation, including estimated receipts, . . . . . \$132,610 30

The receipts of the institution are hereby appropriated for maintenance expenditures pursuant to chapter 153, Laws of 1918, estimated as amounting to.. 1,000 00

Net amount appropriated, . . . . . \$131,610 30

## X II. SANATORIUM FOR TUBERCULOUS DISEASES.

Sanatorium  
at Glen  
Gardner.

For salaries and wages, and for maintenance of the Sanatorium for Tuberculous Diseases, on the basis of two hundred and sixty inmates.

## Salaries and wages:

Superintendent, . . . . .	\$4,000 00	
Physicians, clerks, nurses, farm help, waiters, in- structors and others, in- cluding school teachers, . . . . .	94,660 00	
		\$98,660 00

## Material and supplies:

Food, . . . . .	\$64,000 00	
Fuel, light and power (for this purpose only), . . . . .	31,789 00	
Household, . . . . .	8,000 00	
Farm, stable and grounds, . . . . .	22,000 00	
School, . . . . .	200 00	
Medical and surgical, . . . . .	5,000 00	
Printing and office sup- plies, . . . . .	1,500 00	
Vehicular transportation supplies, . . . . .	2,000 00	
		134,489 00

Current repairs, . . . . . 10,000 00

Miscellaneous:		
Traveling expenses, . . . . .	\$1,600 00	
Postage, . . . . .	400 00	
Telephone and telegraph, ..	800 00	
Insurance (for this purpose only), . . . . .	400 00	
Freight and express, . . . . .	1,000 00	
Entertainments, . . . . .	500 00	
Religious services, . . . . .	400 00	
Annual inventory, . . . . .	200 00	
Medical and surgical fees,	250 00	
Board of employees, . . . . .	2,000 00	
Extraordinary household supplies, . . . . .	3,000 00	
	<hr/>	10,550 00
Additions and improvements:		
Repairing roads on Sana- torium grounds, . . . . .	\$4,000 00	
Auto bus, . . . . .	2,500 00	
Repairs to Infirmary, nurses quarters, etc. . . . .	6,500 00	
Enlargement of storeroom,	5,000 00	
Two fire places in Recrea- tion pavilion, . . . . .	1,000 00	
Two Solaria in E and W wards, . . . . .	11,000 00	
Traveling clinic, . . . . .	10,000 00	
Hay storage, . . . . .	4,590 00	
	<hr/>	44,590 00
New buildings:		
Employees building, . . . . .	\$85,000 00	
Play pavilion for children, including equipment, ....	5,000 00	
	<hr/>	90,000 00
Appropriation, including estimated re- ceipts, . . . . .	\$388,289 00	
The receipts of the institution are hereby appropriated for maintenance expendi-		

tures pursuant to chapter 153, Laws of 1918, estimated as amounting to, . . . . .	50,000 00
Net amount appropriated, . . . . .	<u>\$338,289 00</u>

## X 12. STATE BOARD OF CHILDREN'S GUARDIANS.

Children's  
guardians.

Salaries:		
General agent, . . . . .	\$3,600 00	
Compensation for other as- sistants, . . . . .	68,280 00	
	<u>71,880 00</u>	\$71,880 00
Traveling expenses, . . . . .		18,384 00
Blanks, stationery and printing, . . . . .		7,500 00
Postage and incidentals:		
Postage, . . . . .	\$4,000 00	
Incidentals, . . . . .	1,200 00	
	<u>5,200 00</u>	5,200 00
Miscellaneous:		
Rent, . . . . .	\$6,341 00	
Office equipment, . . . . .	1,500 00	
	<u>7,841 00</u>	7,841 00
		<u>\$110,805 00</u>

## X 13. STATE HOME FOR BOYS.

Boys' home.

For salaries and wages, and for main- tenance of the State Home for Boys, on the basis of six hundred and twenty- five inmates:	
Salaries and wages:	
Superintendent, . . . . .	\$5,000 00
Religious instructors, three,	2,240 00
Physical instructor, . . . . .	1,680 00
Vocational supervisor, . . . . .	2,400 00
Resident physician, . . . . .	2,500 00
Manual training supervisor,	2,400 00
Supervisor of buildings and grounds, . . . . .	2,220 00

Other officers and employees, .....	111,420 00	
	<u>                    </u>	\$129,860 00
Materials and supplies:		
Food, .....	\$56,000 00	
Clothing, .....	27,000 00	
Fuel, light and power (for this purpose only), ....	33,500 00	
Household supplies, ....	14,000 00	
Farm, stable and grounds,	23,000 00	
Industrial shops, .....	5,000 00	
School, .....	3,000 00	
Medical and surgical, ....	3,500 00	
Printing and office supplies, .....	1,500 00	
Vehicular transportation supplies, .....	3,000 00	
	<u>                    </u>	169,500 00
Current repairs, including toilet replacements, .....		25,000 00
Miscellaneous:		
Traveling expenses, ....	\$1,500 00	
Postage, .....	300 00	
Telephone and telegraph, .	700 00	
Entertainment, .....	600 00	
Insurance (for this purpose only), .....	1,250 00	
Returning runaways, ....	400 00	
Freight and express, ....	500 00	
Assisting boys outside of the institution, the equivalent of inmates' fund transferred to State treasury, .....	1,000 00	
Car fare for parole and returned boys, .....	1,000 00	
Medical and surgical fees,	2,500 00	
Funeral expenses, .....	100 00	
	<u>                    </u>	9,850 00
Additions and improvements:		
Farm tractor and equipment	\$1,500 00	
Extraordinary household equipment, .....	3,000 00	

X-Ray apparatus and installation, .....	5,000 00	
Hydro-therapy apparatus,	1,000 00	
Electric dental engine, ..	290 00	
Furniture and furnishings for assistant superintendent's cottage, .....	2,000 00	
Furniture and furnishings for Reception cottage, ..	4,000 00	
Direct connected generators, .....	7,500 00	
Replacing outside electric wiring, .....	5,000 00	
Replacing fire hose, ....	600 00	
Chemical car for fire equipment, .....	350 00	
Chairs for boys dining-room, .....	500 00	
Pipe cutting and threading machine, .....	500 00	
Automobile, .....	1,500 00	
Converting part of Industrial building for employees, .....	5,000 00	
		37,740 00
New buildings:		
Cold storage plant and improvements to building, .....		19,500 00
Appropriation, including estimated receipts, .....		\$391,450 00
Receipts of the institution are hereby appropriated for maintenance expenditures pursuant to chapter 153, Laws of 1918, estimated as amounting to, .....		15,000 00
Net amount appropriated, .....		<u>\$376,450 00</u>

## X 14. STATE HOME FOR GIRLS.

For salaries and wages, and for maintenance of the State Home for Girls, on the basis of three hundred inmates.

Girls' home.

## Salaries and wages:

Superintendent, . . . . .	\$3,000 00	
Physician, . . . . .	2,220 00	
Teachers, nurses, clerks and others, . . . . .	49,860 00	
New employees (eight), . .	2,100 00	
	<hr/>	\$57,180 00

## Materials and supplies:

Food, . . . . .	\$34,500 00	
Clothing, . . . . .	13,500 00	
Fuel, light and power (for this purpose only), . . . .	21,579 00	
Household, . . . . .	7,000 00	
Farm, stable and grounds, .	7,000 00	
School, . . . . .	2,500 00	
Medical and surgical, . . . .	2,000 00	
Printing and office supplies,	1,000 00	
Sundry supplies, . . . . .	300 00	
Vehicular transportation supplies, . . . . .	1,500 00	
	<hr/>	90,879 00

Current repairs, . . . . .	12,000 00
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## Miscellaneous:

Traveling expenses, . . . . .	\$1,000 00
Postage, . . . . .	400 00
Telephone and telegraph, .	800 00
Insurance (for this purpose only), . . . . .	1,894 20
Inventory, . . . . .	200 00
Water tax, . . . . .	500 00
Freight and express, . . . .	500 00
Traveling expenses for pa- role inmates, . . . . .	500 00
Entertainment, . . . . .	800 00
Payments to discharged in- mates, . . . . .	200 00

Medical and surgical fees, . . . . .	1,000 00	
Dentistry, . . . . .	1,000 00	
	<hr/>	8,794 20
Additions and improvements:		
Promotional cottage, . . . . .	\$45,900 00	
Remodeling laundry as can- nery and bakery, . . . . .	1,680 00	
Vegetable cellar and farm produce room, . . . . .	2,500 00	
Furnishing and equipping infirmery annex, . . . . .	2,500 00	
Equipment for cottage chapel and playgrounds, . . . . .	5,000 00	
Grading at new cottage and Stokes playgrounds, . . . . .	500 00	
New water tank, if ade- quate water supply is available, . . . . .	12,000 00	
Two automobiles, . . . . .	2,200 00	
Fire protection, . . . . .	3,000 00	
Remodeling main building for industrial building, staff and employees, . . . . .	56,100 00	
Flag pole and piano, the equivalent of inmates' funds transferred to State treasury, . . . . .	717 34	
	<hr/>	132,097 34

There is hereby appropriated the undis-  
turbed balance on the thirtieth day of  
June, one thousand nine hundred and  
twenty-one, of the appropriation made un-  
der Item X 14, of chapter 353, Laws of  
1920, for addition to infirmary and one  
unit hydro-thero treatment.

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\$300,950 54

X 15. STATE HOSPITAL, MORRIS PLAINS.

Morris Plains  
asylum.

For salaries and wages, and for mainte-  
nance of the State Hospital, Morris

Plains, on the basis of two thousand eight hundred and fifty inmates.

## Salaries and wages:

Medical director, .....	\$5,000 00	
Warden and treasurer, ...	5,000 00	
Other officers and employees, .....	430,000 00	
		\$440,000 00

## Material and supplies:

Food, .....	\$313,500 00
Clothing, .....	58,000 00
Fuel, light and power (for this purpose only), ....	130,000 00
Household supplies, .....	60,000 00
Farm, stable and ground, .....	45,000 00
Tobacco, .....	5,000 00
Industrial shops, .....	5,000 00
Revolving fund for purchase of materials for manufacture of articles to be sold, .....	2,000 00

All sums received in excess of the amount hereby appropriated for the revolving fund are hereby appropriated for the amusement fund.

Medical and surgical, ....	10,000 00	
Printing and office supplies, .....	1,000 00	
Vehicular transportation supplies, .....	7,500 00	
		637,000 00
Current repairs, .....		35,000 00

## Miscellaneous:

Traveling expenses, .....	\$900 00
Postage, .....	1,200 00
Telephone and telegraph, ..	2,500 00
Insurance (for this purpose only), .....	6,000 00
Freight and express, ....	3,500 00
Amusements, .....	500 00
Religious services, .....	900 00

Funeral expenses, .....	4,000 00	
Annual inventory, .....	200 00	
Advertising, books, et cetera, .....	800 00	
	<hr/>	20,500 00
Additions and improvements:		
Replastering nurses' home for women, .....	\$1,200 00	
Filling cases, .....	1,000 00	
Two automobiles, ....	3,000 00	
Extraordinary household supplies, .....	15,000 00	
Dough mixer for bakery,	1,449 00	
Dough divider for bakery,	2,146 00	
Plumbing for toilets,....	7,077 95	
Dairy Equipment, .....	3,801 33	
Mueller main tapping ma- chine with full equip- ment, .....	225 35	
Vegetable and fruit pots for kitchen, .....	1,000 00	
Reconstruction of *sewage system and tanks, ....	25,000 00	
Boiler plant, .....	40,000 00	
Furnishing building for four hundred inmates, ..	50,000 00	
Repairs to X-Ray machine and equipment, .....	2,809 00	
Two vacuum cleaners, ...	400 00	
Shower baths and piping,..	10,000 00	
Enlarging elevator in laundry, .....	2,500 00	
Ice plant equipment, ....	12,000 00	
Alterations of pavilion, kitchen floor, store house, et cetera, .....	4,000 00	
Threshing machine, .....	1,100 00	
Stone crusher, .....	2,500 00	
Refrigeration for Patho- logical building, .....	4,500 00	
Tractor and plows, .....	1,500 00	
	<hr/>	192,208 63

Appropriation, including estimated receipts, .....	\$1,324,708 63
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to, ..	406,500 00
Net amount appropriated, .....	<u>\$918,208 63</u>

## X 16. STATE HOSPITAL, TRENTON.

Trenton  
asylum.

For salaries and wages, and for maintenance of the State Hospital, Trenton, on the basis of two thousand two hundred inmates.

Salaries and wages:

Medical director, .....	\$6,000 00	
Warden, .....	5,000 00	
Other officers and employees, .....	317,895 00	
		<u>\$328,895 00</u>

Materials and supplies:

Food, .....	\$237,000 00	
Clothing, .....	35,000 00	
Fuel, light and power (for this purpose only), ....	89,000 00	
Household supplies, ....	45,000 00	
Farm, stable and grounds, .....	45,572 92	
Medical and surgical, ....	25,000 00	
Printing and office supplies, .....	2,500 00	
Vehicular transportation supplies, .....	2,500 00	
		<u>481,572 92</u>
Current repairs, .....		25,000 00

Miscellaneous:

Traveling expenses, ....	\$1,065 00
Telephone and telegraph, .....	1,700 00
Postage, .....	600 00
Amusements, .....	1,000 00
Funeral expenses, .....	1,500 00
Newspapers and magazines, .....	300 00

## CHAPTER 137, LAWS OF 1921.

Returning runaways, . . . .	300 00	
Insurance (for this purpose only), . . . . .	4,500 00	
Religious services, . . . . .	300 00	
Freight and express, . . . .	1,000 00	
Tobacco, . . . . .	3,000 00	
Inventory, . . . . .	200 00	
Incidentals, . . . . .	2,000 00	
Psychiatric clinic, . . . . .	17,500 00	
	<hr/>	34,905 00
Additions and improvements:		
Extraordinary repairs, renewals of floors and interior of four wards, ..	\$25,000 00	
Purchase of Oakland farm, three hundred and eighty-five acres, . . . . .	60,000 00	
Tractor, . . . . .	1,500 00	
Fairbanks scales, twenty-ton, . . . . .	900 00	
Boring and equipping artesian wells, . . . . .	3,000 00	
Fencing, . . . . .	4,000 00	
	<hr/>	94,400 00
New buildings:		
Building kitchen and congregate dining-room, to feed one thousand patients and seventy-two employees, and sleeping quarters for seventy-two employees, including heating, plumbing and electric wiring complete, and, if possible, kitchen equipment, . . . . .		225,000 00
		<hr/>
Appropriation, including estimated receipts, . . . . .	\$1,189,832 92	
The receipts of the institution are hereby appropriated for maintenance expenditures pursuant to chapter 153, Laws of 1918, estimated as amounting to . . . . .		300,000 00
		<hr/>
Net amount appropriated, . . . . .	\$889,832 92	
	<hr/> <hr/>	

## X 17. STATE INSTITUTION FOR FEEBLE-MINDED.

For salaries and wages, and for maintenance of the State Institution for Feeble-Minded, on the basis of one thousand twenty-three inmates.

Feeble-minded  
at Vineland.

## Salaries and wages:

Superintendent, .....	\$5,000 00	
Physicians, clerks, mechanics and others, .....	77,400 00	
New employees, .....	30,600 00	
	<hr/>	\$113,000 00

## Materials and supplies:

Food, .....	\$90,000 00	
Clothing, .....	28,500 00	
Fuel, light and power (for this purpose only), .....	56,000 00	
Household, .....	15,000 00	
Farm, stable and grounds, ..	23,000 00	
Industrial shops, .....	1,000 00	
School and equipment, ....	1,000 00	
Medical and surgical, .....	5,000 00	
Printing and office supplies, ..	1,800 00	
Sundries, .....	1,175 00	
Vehicular transportation supplies, .....	2,500 00	
	<hr/>	224,975 00

Current repairs, .....	12,000 00
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## Miscellaneous:

Traveling expenses, .....	\$3,000 00
Postage, .....	900 00
Telephone and telegraph, ..	1,500 00
Insurance (for this purpose only), .....	3,500 00
Medical and surgical fees, ..	4,000 00
Returning runaways, .....	100 00
Entertainments, .....	1,000 00
Funeral expenses, .....	500 00
Freight and express, .....	3,500 00
Advertising, .....	250 00
Water rental, .....	100 00
Appraisal of institution, ..	400 00

## CHAPTER 137, LAWS OF 1921.

Library, .....	350 00	
Religious services, .....	400 00	
Incidentals, .....	500 00	
		20,000 00
Additions and improvements:		
Grading and driveways, ..	\$3,500 00	
Kitchen and bakery im- provements, .....	400 00	
Furnishings for hospital and dormitories, .....	1,900 00	
Furnishings for Adminis- tration building, .....	2,000 00	
Furnishings for Psycho- pathic building, .....	1,400 00	
Platform scales, .....	750 00	
Extraordinary repairs, ....	15,000 00	
Five cows and one bull, ...	2,000 00	
Tractor exchange, .....	700 00	
Completing basement, chil- dren's building, for din- ing room, .....	2,500 00	
Passenger automobile, ....	1,500 00	
Electric light plant, .....	25,000 00	
Readaptation of main build- ing for staff house, lab- oratory and nurses, ....	15,000 00	
Psychopathic building, ....	30,000 00	
Additional land and build- ings, .....	25,000 00	
		126,650 00
Appropriation, including estimated re- ceipts, .....		
	\$496,625 00	
The receipts of the institution are here- by appropriated for maintenance ex- penditures pursuant to chapter 153, Laws of 1918, estimated as amount- ing to, .....		
		20,000 00
Net amount appropriated, .....	\$476,625 00	

## X 18. STATE PRISON.

For salaries and wages, and for maintenance of the State Prison on the basis of one thousand two hundred inmates.

State Prison.

## Salaries and wages:

Principal keeper, . . . . .	\$5,000 00	
Other officers and employees, . . . . .	256,597 50	
Wages for inmates at farm at the rate of \$0.25 per day, . . . . .	8,000 00	
Wages for inmates at prison (other than State use), . . . . .	12,000 00	
Four new officers (shops),	2,280 00	
	<hr/>	\$283,877 50

## Materials and supplies:

Food, . . . . .	\$145,000 00	
Clothing, . . . . .	35,000 00	
Fuel, light and power (for this purpose only), . . . . .	48,000 00	
Household supplies, . . . . .	15,000 00	
Farm, stable and grounds (Leesburg Farm), . . . . .	18,000 00	
Industrial shops, . . . . .	5,000 00	
School supplies, . . . . .	2,100 00	
Medical and surgical, . . . . .	8,000 00	
Printing and office supplies, . . . . .	3,000 00	
Tobacco, . . . . .	3,500 00	
Water tax, . . . . .	3,000 00	
Religious supplies, . . . . .	300 00	
Bureau of identification, . . . . .	500 00	
Library, . . . . .	400 00	
Vehicular transportation supplies, . . . . .	3,500 00	
	<hr/>	290,300 00

Current repairs, including repairs to interlocking system, . . . . . 18,000 00

## Miscellaneous:

Traveling expenses, . . . . .	\$1,500 00	
Transportation of prisoners to and from farm and camps, . . . . .	1,600 00	

Postage, .....	800 00	
Telephone and telegraph...	600 00	
Insurance (for this purpose only), .....	2,500 00	
Medical and surgical fees, .	600 00	
Freight and cartage, .....	2,500 00	
Appraisalment, .....	200 00	
Electrocution plant, .....	2,000 00	
Payments to discharged in- mates, .....	2,500 00	
Amusements, .....	1,000 00	
Returning runaways, and captures and expenses in- cidental thereto, .....	1,500 00	
Funeral expenses, .....	100 00	
	<hr/>	17,400 00
Additions and improvements:		
Cemetery fence, .....	\$1,200 00	
Filing cabinet, .....	350 00	
Adding machine, .....	300 00	
Fence for farm, .....	270 00	
Laundry equipment, .....	3,500 00	
Refrigerating equipment, .	4,000 00	
	<hr/>	9,620 00
New buildings:		
Cannery building and equipment, .....	\$5,500 00	
Silo, .....	700 00	
Barns, .....	8,000 00	
Machine shed, .....	2,500 00	
Drainage, .....	1,591 50	
Storage cellar, .....	3,000 00	
	<hr/>	21,291 50
Appropriation, including estimated re- ceipts, .....	\$640,489 00	
The receipts of the institution are hereby appropriated for maintenance expen- ditures pursuant to chapter 153, Laws of 1918, estimated as amounting to, ..	50,000 00	
	<hr/>	
Net amount appropriated, .....	\$590,489 00	

X 19. VILLAGE FOR EPILEPTICS.

For salaries and wages, and for maintenance of the Village for Epileptics on the basis of eight hundred inmates.

Epileptic village.

Salaries and wages:

Superintendent, .....	\$6,000 00	
Steward, .....	2,750 00	
Senior resident physician,	3,000 00	
Other officers and employ-		
ees, .....	158,250 00	
	<hr/>	\$170,000 00

Materials and supplies:

Food, .....	\$80,000 00	
Clothing, .....	8,000 00	
Fuel, light and power (for		
this purpose only), ....	50,000 00	
Household supplies, ....	15,000 00	
Farm, stable and grounds,	30,000 00	
School, .....	1,100 00	
Medical and surgical, ....	4,500 00	
Printing and office supplies,	1,500 00	
Sundry supplies, .....	1,500 00	
Industrial shops, .....	600 00	
Vehicular transportation		
supplies, .....	3,000 00	
	<hr/>	195,200 00
Current repairs, .....		12,000 00

Miscellaneous:

Traveling expenses, .....	\$1,200 00
Postage, .....	500 00
Telephone and telegraph, ..	1,200 00
Insurance (for this pur-	
pose only), .....	4,600 00
Freight and express, ....	2,500 00
Medical and surgical con-	
sultants, .....	1,000 00
Amusements, .....	500 00
Funeral expenses, .....	500 00
Returning runaways, ....	100 00
Religious services, .....	760 00

## CHAPTER 137, LAWS OF 1921.

Appraising property, . . . .	200 00	
Incidentals, . . . . .	500 00	
	<hr/>	13,560 00
Additions and improvements:		
Furniture and fixtures, . . . .	\$1,500 00	
Material for walks and fences, . . . . .	2,000 00	
Tractor and equipment, . . . .	1,500 00	
Filing cases, . . . . .	500 00	
Peach trees, . . . . .	300 00	
Repairs to Pine Knoll Cottage, . . . . .	2,500 00	
Heating assembly hall, . . . .	4,500 00	
Concrete block machine, . . . .	250 00	
	<hr/>	13,050 00
Appropriation, including estimated receipts, . . . . .	\$403,810 00	
The receipts of the institution are hereby appropriated for maintenance expenditures, pursuant to chapter 153, Laws of 1918, estimated as amounting to . . . . .	156,114 00	
	<hr/>	
Net amount appropriated, . . . . .	\$247,696 00	
	<hr/> <hr/>	

## X 20. WOODBINE COLONY FOR FEEBLE-MINDED MALES.

Woodbine colony.

For salaries and wages, and for maintenance of the Woodbine Colony for Feeble-Minded Males.

## Salaries and wages:

Superintendent, . . . . .	\$3,000 00	
Physician, . . . . .	2,000 00	
Attendants, nurses and other employees, . . . . .	19,500 00	
	<hr/>	\$24,500 00

## Materials and supplies:

Food, . . . . .	\$10,000 00	
Clothing, . . . . .	3,200 00	
Fuel, light and power (for this purpose only), . . . . .	9,500 00	
Household supplies, . . . . .	1,500 00	

Farm, stable and grounds, .	5,000 00	
Medical and surgical supplies, . . . . .	500 00	
Printing and office supplies,	250 00	
Sundries, . . . . .	200 00	
Transportation, . . . . .	600 00	
	<hr/>	30,750 00
Current repairs, . . . . .		500 00
Miscellaneous:		
Telephone and telegraph. . .	\$250 00	
Traveling expenses, . . . . .	700 00	
Postage, . . . . .	100 00	
Sundries, . . . . .	200 00	
	<hr/>	1,250 00
The unexpended balances, if any, remaining on June thirtieth, one thousand nine hundred and twenty-one, of any moneys appropriated by chapter 26, Laws of 1921, are hereby reappropriated.		
		<hr/> <hr/>
		\$57,000 00

2. The following sums are hereby appropriated out of the income of the school fund for the purposes specified for the fiscal year ending on the thirtieth day of June, in the year one thousand nine hundred and twenty-two:

I. FREE PUBLIC SCHOOLS.

For the support of free public schools . . . . \$300,000 00

2. PREMIUMS AND ACCRUED INTEREST.

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.

3. SCHOOL FUND EXPENSES.

For necessary legal and other expenses incurred by or under the direction of the trustees for the support of public schools

	in the investment and protection of the school fund, and in the collection of the income thereof, .....	\$3,500 00
Refund.	To Undercliff Terminal and Warehouse Company, for refund of rent paid from August eighteenth, one thousand nine hundred and nineteen, to January twenty-fourth, one thousand nine hundred and twenty, the lease being converted into a grant in fee August eighteenth, one thousand nine hundred and nineteen, .....	3,336 45
		<hr/> <hr/> \$6,836 45

Approval of plans and contracts by Governor.

If appropriation insufficient to lapse.

Proviso.

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 and approved pursuant to chapter five, Laws of nineteen hundred and eighteen, and such contracts shall not be approved or entered into if the total expenditure under all the contracts necessary to the entire completion of such building, or 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 provisions of this section, prohibiting the expenditure of the whole or any part of an appropriation, which in itself is insufficient to complete any building, buildings or work, and providing for the lapsing of such appropriations, shall not apply to nor restrict the expenditure of any moneys herein appropriated for the construction, completion of construction, equipment or furnishing of any armory or armories which have

been heretofore authorized and which are partially constructed, completed or furnished, but such appropriation shall be available for the uses and purposes herein expressed to the full extent thereof, nor shall the provisions of this section apply to any appropriation authorizing expenditures for the construction of the proposed bridge between the city of Philadelphia, State of Pennsylvania, and the city of Camden, in this State, nor the proposed tunnel to be constructed under the Hudson river, between the city of New York, State of New York, and the City of Jersey City, in this State.

Not for  
bridge or tun-  
nel purposes.

4. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums which are by law devoted to specific purposes, namely, State school tax, United States appropriation to Agricultural College, and taxes for the use of taxing districts in this State, moneys received by the State from the taxation of railroad and canal property, which may be by law apportioned to the various counties of the State for school purposes, academic certificate fund, vocational schools, pensions of teachers and school officers authorized by law, moneys received from tuition at the summer schools, and loans to "State School Fund," which last-named sums shall be paid pursuant to the laws applicable thereto; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of the previous years; moneys received by the Department of Conservation and Development from the sale or lease of forest reserve lands pursuant to chapter one hundred and eighty-seven, Laws of nineteen hundred and thirteen; moneys received by the Quartermaster-General under the provisions of section seventeen, chapter 81, Laws of 1917, as amended March fourth, one thousand nine hundred and eighteen; moneys received by the Department of Health pursuant to chapter thirteen, Laws of nineteen hundred and fifteen, chapter two hundred and thirty-two, Laws of nineteen hundred and seventeen, and chapter thirty-nine, Laws of nineteen hundred and eighteen, and receipts pursuant to the provisions of chapter one hundred and forty-seven, Laws of nineteen hundred and eighteen.

Moneys used  
as specified.

Construing  
section.

Transfer of  
money to  
other items.

Authority  
given.

Proviso.

Proviso.

Corrections  
made to com-  
ply with  
intention.

How made.

How appro-  
priations made  
available to  
institutions.

5. In order that some degree of flexibility in appropriations may be had, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the State House Commission for leave to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall only be made during the current year for which the appropriation was made, and if the State House Commission shall consent thereto, it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall place the amount so transferred to the credit of the item so designated; *provided, however*, that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose; *and provided, further*, that such transfers shall not be permitted and the provisions of this section shall not apply in cases where the items of appropriation are expressly limited by the words "for this purpose only."

6. The Comptroller of the Treasury is hereby authorized, empowered, directed, and it shall be his duty to make such correction of the title or text, or both, of an appropriation, necessary to make such appropriation available for the purpose or purposes of its intention. Such correction shall be by written ruling, reciting in appropriate detail the facts thereof and the reasons therefor, attested by the signature of said Comptroller and filed in the Department of the Comptroller of the Treasury as an official record thereof, and any action thereunder, including disbursements and the audit thereof, shall be legally binding and of full force and virtue.

7. The appropriations made to institutions operating under the provisions of chapter 147, Laws of 1918, shall be available subject to the following limitations: There shall be submitted monthly to the State Comptroller by the Department of Institutions and Agencies, a statement showing the number of inmates or patients maintained in each of the several institutions during the preceding month, the estimated number for the succeeding month together with the increase or decrease in population of such institution based on the estimate submitted by the Department of Institutions and Agen-

cies to the Budget Commission, and the Comptroller is authorized, in the event of any institutional agency exceeding the proportion of its appropriation as based on the number of inmates so estimated, at any time during the fiscal year to refuse countersignature of requisitions and take whatever steps he shall deem necessary to reduce the expenditures of such institution to a proper proportion based on the decrease in population.

8. The Comptroller of the Treasury is hereby empowered, and it shall be his duty in the disbursement of funds available for the general uses of the State, to first provide for the maintenance of the administration of the government of the State, and of its courts, and of its penal, correctional and charitable institutions, and to apply the remainder of such available funds in such manner and to such purpose for which appropriation may have been made as in his judgment may best conserve the interest of the State.

Disbursements  
to conserve  
interests of  
State.

9. The person to whom is paid any salary or wages herein specifically appropriated as compensation for services in performing the duties of a particular office, position or employment shall not be paid from other moneys herein appropriated, any additional compensation.

As to additional  
compensation.

10. Anything herein contained to the contrary notwithstanding, no person, now or hereafter filling an office, position or employment for which a definite compensation or salary range has been fixed by the Civil Service Commission under the provisions of chapter 24, of the Laws of 1918, shall receive for his services in said office, position or employment, a sum greater than the maximum amount provided by the schedule of compensation adopted by the Civil Service Commission in accordance with the provisions of said chapter 24, of the Laws of 1918; *provided, however*, that nothing herein contained shall be construed as altering, repealing or in any way affecting the provisions of chapter 49, of the Laws of 1916.

Maximum  
compensation.

11. In the event that legislation now pending abolishing the Department of Architecture is enacted into law, irrespective of any powers which shall be granted for architectural purposes in other departments, the

Proviso.

Moneys for  
Department  
of Architec-  
ture trans-  
ferred to  
Institutions  
and Agencies.

moneys herein specifically appropriated to the Department of Architecture are hereby appropriated to the Department of Institutions and Agencies, to be expended under the general supervision of the State Board of Control of Institutions and Agencies according to law and in the same manner and to the same effect as if the said moneys were appropriated specifically to the said Department of Institutions and Agencies and the State Board of Control, instead of to the Department of Architecture; *and provided, further*, in the event that legislation now pending authorizing the State Board of Control of Institutions and Agencies to establish a Division of Architecture and Construction is enacted into law, then the said State board is hereby authorized to pay all or a part of the salary of the Chief of the Division of Architecture and Construction at a rate per annum to be approved by the State House Commission from moneys herein specifically appropriated to the various institutions under the jurisdiction of the Department of Institutions and Agencies for the construction and repair of buildings, heating and sewerage disposal plants.

Proviso.

Petty cash fund.

Monthly audit.

Act effective.

12. The Comptroller of the Treasury may, upon application therefor, allot from appropriations made to any official, department, commission or board a sum, not in excess of three hundred dollars, to establish a petty cash fund, for the payment of expenses not in excess of five dollars. The allotment thus made by the Comptroller shall be paid to such person as shall be designated as the custodian thereof by the official, department, commission or board making request therefor, and the money thus allotted shall be disbursed by such custodian, who shall require from all persons obtaining money from said fund a receipt therefor. Such receipt shall by such custodian be forwarded monthly to the Comptroller of the Treasurer for audit, and the Comptroller of the Treasury shall likewise make regulations governing disbursements from petty cash funds.

13. This act shall take effect on the first day of July, one thousand nine hundred and twenty-one.

Approved April 2, 1921.

## CHAPTER 138.

An Act to amend and supplement an act entitled "A supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' " which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight, which supplement was approved March fifth, one thousand nine hundred and eighteen, and is known as chapter No. 284 of the Laws of 1918.

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

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

5. The State Board of Taxes and Assessment shall complete their valuation by the first day of November, and a copy of the valuation in detail of the property of each corporation shall be served upon the treasurer of such corporation, or left at his office, within ten days after the said first day of November, but the failure to serve any such notice shall not be held to invalidate any assessment or effect any lien created by the act to which this act is a supplement. Valuing property.

2. Section eight of the act to which this act is an amendment and supplement, be and the same hereby is amended to read as follows: Section 8 amended.

8. The State Board of Taxes and Assessment shall certify and report to the Comptroller of the State on or before the first day of June following the completion of their proceedings for review of assessments a statement of the assessed valuation of the property of each company in the State, and of the separate valuation of property in each taxing district, as made by them, the amount of tax payable by such company with Report to Comptroller.  
What to show.

respect to its property separately valued in each taxing district, and the aggregate assessed valuation, and the total tax levied upon each company; such statement shall be made separately for each company, and as to said property separately valued, shall be arranged by taxing districts in such manner as to be of easy reference, and shall be recorded in books in the office of the State Comptroller, to be provided by him for that purpose, and shall be public records, subject to public inspection; and the amount of tax payable by each company, as shown by the said statements, shall be due and payable into the State treasury on any day between the first day of June and the first day of December following; and the payment or collection thereof shall not be stayed by any writ or order of any court or law or equity; it shall be the duty of the State Treasurer to receive payment of the said taxes from the said companies; if the taxes of any company, or any portion thereof, remain unpaid on the first day of December following the levying thereof, such company shall be considered in default, and such taxes, or such unpaid portion thereof, shall thenceforth bear interest at the rate of one per centum for each month until paid, notwithstanding the prosecution of any writ of certiorari or other remedy. So much of section ten of the act to which this act is a supplement as is inconsistent with the provisions of this section is hereby repealed.

3. The State Board of Taxes and Assessment shall have power on or before June first, nineteen hundred and twenty-one to amend its report of the assessment of taxes on railroad and canal property to comply with the provisions of this act for the year nineteen hundred and twenty-one, which may have heretofore been certified to the Comptroller, or certify a new report.

4. This act shall take effect immediately.

Approved April 2, 1921.

Arrangement.  
Recorded.

When tax  
payable.

Defaulted  
taxes.

Part of section  
is repealed.

Amending  
report.

## CHAPTER 139.

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:*

1. Where any conveyance of real estate has hereofore been made, executed and recorded to or in favor of any unincorporated subordinate body, society, association or camp operating under a charter or other authorization of any society, association or camp incorporated under and by virtue of the provisions of an act of the Legislature of the State of New Jersey entitled "An act to incorporate benevolent and charitable associations" Revision—Approved April 9th, 1875, and the several supplements thereto; and the said unincorporated body, society, association or camp has heretofore made, executed and recorded a deed for any such land so conveyed to it, by virtue of a resolution passed at a regular meeting of said unincorporated body, society, association or camp, any and all such conveyances of real estate shall be as valid and effectual in law as if made, executed and delivered to or by a corporate body of this state; and the record of such conveyance or conveyances of such real estate shall be admissible in evidence as fully and completely for all purposes as if such deed or deeds had been made to and by a duly incorporated body of this State; *provided, however,* such deeds shall have been executed in manner and form as directed in said resolution, and shall have been acknowledged or proved as required by law.

2. This act shall take effect immediately.

Approved April 4, 1921.

Validating conveyance made by unincorporated society.

Record in evidence.

Proviso.

## CHAPTER 140.

An Act providing for the pensioning of county detectives in counties of the first and second class.

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

"County  
detectives"  
defined.

1. The words, "county detectives," as used in this act, shall mean and include persons appointed by the prosecutors of the pleas as special officers for the detection, apprehension, arrest, indictment and conviction of offenders against the law.

Retirement.

2. In first and second class counties of this State, now or hereafter having county detectives, any county detective who shall have served as such for a continuous period of twenty years, and shall have reached the age of sixty years, shall, upon application in writing to the prosecutor of the pleas of his county, be retired upon one-half pay.

Amount of  
pension.

3. The words "be retired upon one-half pay," as used in this act, shall be construed to mean, retired upon a pension equal to one-half of his annual salary at the time of retirement.

Retirement  
by reason of  
unfitness.

4. Any county detective who shall have served as such for a continuous period of twenty years, whether he has reached the age of sixty years or not, who shall be found, as hereinafter provided, to be physically unfit for further service, shall, upon application in writing to the prosecutor of the pleas of his county, be retired upon one-half pay.

Retirement  
for disability.

5. Any county detective who shall have received a permanent disability by reason of injury, accident or sickness, incurred at any time in the service, which shall permanently incapacitate him from further duty, shall, upon the certification of the fact of such disability by three physicians designated as hereinafter provided, be retired upon one-half pay.

Medical  
examination  
to determine  
unfitness.

6. Physical unfitness or incapacity for further duty of any county detective shall, for all purposes of this

act, be established and determined by a board of three physicians who shall be designated for that purpose, as follows: One by the prosecutor of the pleas of the county, one by the county detectives of such county or a majority of them, and one by the county treasurer of such county. The three physicians so designated shall examine the county detective applying for retirement upon one-half pay because of physical unfitness or incapacity for further duty, and if they or a majority of them, find him physically unfit or incapacitated for further duty, they or a majority of them shall make and sign a certificate to that effect and file the same with the county treasurer, and thereupon the applicant shall be retired upon one-half pay.

7. The widow of any county detective who shall lose his life in the performance of his duty shall receive a pension, so long as she shall remain unmarried, equal to one-half the amount of the annual salary of such county detective at the time of his death.

Pension to widow of detective losing life.

8. If any county detective, after having been retired on one-half pay, shall die, leaving him surviving a widow who was his wife at the time of his retirement, such widow, so long as she shall remain unmarried, shall receive a pension equal to one-half the amount of the annual salary of such county detective at the time of his retirement.

Pension to widow of detective dying.

9. Persons who may become entitled to pensions under this act shall be paid such pensions in the same manner and at the same time as county detectives in active service in the several counties are respectively paid.

Payment of pensions.

10. A fund shall be created in the following manner for the purpose of paying such pensions, to wit: There shall be deducted from every payment of salary to each county detective three per centum of the amount thereof; then there shall be contributed annually by the county an amount equivalent to three per centum of said detectives' salaries; to said fund there shall be added all moneys donated for the purpose of such fund, and all rewards which may be paid to any county detective while acting as such county detective, all of which moneys and rewards shall be paid over to the board of

Pension fund created. Sources.

County to  
meet de-  
ficiency.

If fund ex-  
ceeds certain  
amount.

Management  
of fund.

Investments.

chosen freeholders of the county to be deposited in such fund. In case, at any time, there shall not be sufficient money in such pension fund to pay such pensions, the board of chosen freeholders of the county shall, from time to time, include in any tax levy a sum sufficient to meet the requirements of such pension fund. Whenever such pension fund shall exceed an amount which the board of chosen freeholders of such county shall by resolution from time to time determine to be adequate for such pension fund, no moneys, except the three per centum specified in this act, and the moneys given or donated as herein mentioned and any aforementioned rewards, shall be paid into such fund, unless and until the amount of such fund shall fall below the amount thus determined to be adequate.

11. The board of chosen freeholders of said county shall have the management and control of said fund and is hereby empowered to make all necessary rules and regulations concerning the same not inconsistent with this act; all moneys not needed for the immediate payment of such pensions shall be invested by said board of chosen freeholders in interest-bearing bonds of any municipality in this State or in any other interest-bearing securities in which savings banks of this State are authorized to invest their funds.

12. This act shall take effect immediately.

Approved April 5, 1921.

#### CHAPTER 141.

An Act to define, regulate and license real estate brokers and salesmen, to create a State Real Estate Commission and to provide penalties for the violation of the provisions hereof.

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

Real estate  
dealers li-  
censed.

1. From and after the first day of October, one thousand nine hundred and twenty-one, it shall be unlawful for any person, firm, association, partnership or cor-

poration, whether operating under a trade name or otherwise, to engage, either directly or indirectly, in the business of a real estate broker or salesman within this State without first obtaining a license under the provisions of this act.

2. A real estate broker within the meaning of this act is any person, firm, association, partnership or corporation which, for compensation, valuable consideration or commission, sells or offers for sale, buys or offers to buy, or negotiates purchase, sale or exchange of real estate, or leases or rents, or offers to lease or rent real estate for others. A real estate salesman within the meaning of this act is any person who, for compensation, valuable consideration or commission, is employed, either directly or indirectly, by a licensed real estate broker to sell or offer to sell, to buy or offer to buy, or to negotiate the purchase, sale or exchange of real estate, or to lease or rent, or offer to lease or rent any real estate for others, as a vocation. The provisions of this act shall not apply to any person, firm, association, partnership or corporation who, as owner or lessor, shall perform any of the acts aforesaid with reference to property owned by them; nor shall the provisions of this act apply to persons holding a duly executed power of attorney from the owner for the sale, lease or exchange of real estate; nor shall this act be construed to include in any way attorneys at law; nor shall it be held to include a receiver, trustee in bankruptcy, administrator or executor, or any person selling real estate under order of any court, nor to a trustee selling real estate under a deed of trust.

3. The New Jersey Real Estate Commission is hereby created. The Governor shall appoint three persons who shall have been residents of the State of New Jersey for a period of at least ten years, and whose vocation for a period of at least ten years prior to the date of their appointment shall have been that of a real estate broker. One member shall be appointed for a term of one year, one member shall be appointed for a term of two years, and one member shall be appointed for a term of three years, and thereafter the terms of the members of said commission shall be for three years

Real estate  
broker and  
salesman  
defined.

Exceptions  
to act.

Real estate  
commission  
created.

Terms.

Vacancies.	and until their successors are appointed and qualify. Members to fill vacancies shall be appointed by the Governor for the unexpired term. The first meeting of the members of said commission shall be held on the first Tuesday in September, one thousand nine hundred and twenty-one, and said commission shall organize by selecting from its members a president, and said commission may do all things necessary and convenient for carrying into effect the provisions of this act, and may from time to time promulgate necessary rules and regulations. Each member of the commission shall receive, as full compensation for his services, the sum of twenty-five dollars per day for each full day actually spent on the work of said commission, and his actual and necessary expenses incurred in the performance of duties pertaining to his office: and no commissioner shall receive any compensation, either directly or indirectly, for his services, except as herein provided. The Governor may remove any commissioner for cause.
Organization.	
Compensation.	4. The commission shall employ a secretary and such clerks and assistants as shall be deemed necessary to discharge the duties imposed by the provisions of this act, and shall outline their duties and fix their compensation, subject to the laws of the State of New Jersey. The commission shall obtain such office space, furniture, stationery and other proper conveniences, as shall be reasonably necessary for carrying out the provisions of this act.
Removal.	
Secretary and clerical assistants.	5. The commission shall adopt a common seal by which it shall authenticate its proceedings. Copies of all records and papers in the office of the commission, duly certified and authenticated by the seal of said commission, shall be received in evidence in all courts with like effect as the original. All records kept in the office of the commission under the authority of this act shall be open to public inspection under regulations prescribed by the commission.
Office.	
Seal.	6. All fees and charges collected by the commission under the provisions of this act shall be paid into the general fund in the State treasury. All expenses incurred by the commission under the provisions of this act, including compensation to members, secretary and
Records.	
Fees paid into State treasury.	

office assistants, shall be paid out of the general fund of the State treasury upon warrants of the State Comptroller, from time to time when vouchers therefor are exhibited and approved by the commission; *provided, however,* that the total expense for every purpose incurred shall not exceed the total fees and charges collected and paid into the State treasury under the provisions of this act.

7. All applications for license shall be made in writing to the commission on forms to be provided by the commission, and the commission shall have the right to prescribe the form of application for all licenses. All applications for license must be accompanied by the recommendation of at least two citizens, real estate owners, not related to the applicant, who have owned real estate for a period of at least two years in the municipality in which said applicant resides, which recommendation shall certify that the applicant bears a good reputation for honesty, ability and fair dealing, and recommending that a license be granted to such applicant. Every applicant for a license shall furnish a sworn statement setting forth his present address, both of business and residence, the complete address of all former places where he may have resided or been engaged in business, or acted as a real estate broker or salesman, for a period of sixty days or more during the preceding five years, and stating the length of such residence, together with the name of at least one real estate owner in each municipality in which he may have resided, engaged in business or acted as a real estate broker or salesman. Every applicant for a salesman's license shall also set forth the period of time, if any, during which he has been engaged in the real estate business, stating the name of his last employer and the name and the place of business of the person, firm, association, partnership or corporation then employing him, or in whose employ he is to enter; and such application shall be accompanied by a written statement by the broker employing such salesman, or in whose employ such salesman is to enter, stating his opinion as to the honesty, integrity and reputation for fair dealing

Proviso.

Application for license.

Recommendations.

Information furnished.

Further evidence of fitness may be required.

of the applicant. The commission is hereby authorized to require from all applicants such other information or proof as shall be deemed desirable for the purchase of ascertaining the truthfulness, reputation, honesty and integrity of any applicant for a license under the provisions of this act: and the commission is expressly vested with the power and authority to make, prescribe and enforce any and all rules and regulations connected with the application for any license, as shall be deemed necessary to properly administer and enforce the provisions of this act.

Places of business.

8. Every real estate broker shall maintain a place of business in this State. In case any real estate broker maintains more than one place of business within the State, a duplicate license shall be issued to each broker for each branch office so maintained, and such duplicate license shall be issued without additional charge.

What license to show.

9. All licenses shall be issued by the commission in such form as shall be prescribed by the commission. Such licenses shall show the name and address of the licensee and shall have imprinted thereon the seal of the commission, and shall contain such matter as shall be prescribed by the commission. It shall be the duty of each real estate broker to conspicuously display his license in his place of business. Notice in writing shall be given to the commission by each licensed broker of any change of business location, whereupon the commission shall issue a new license for the unexpired period, without charge.

License displayed.

Change of office.

A change of business location without notification to the commission, and without the issuance of a new broker's license, shall automatically cancel the license theretofore issued. In addition to the license, the commission shall deliver to each licensee a pocket card of such size as shall be designated by the commission, which card shall contain the name and address of the licensee, and, in the case of salesman's license, the name and address of the employer of such licensed salesman, and shall also contain an imprint of the seal of the commission, and shall certify that the person whose name appears thereon has been duly licensed as a real estate broker or real estate salesman, as the case may be.

Pocket card of identification.

10. All licenses issued to real estate salesmen shall be kept in the custody and control of the broker by whom such real estate salesman is employed, and the pocket card accompanying the same shall be delivered to such licensee. When any real estate salesmen shall be discharged, or shall terminate his employment with the real estate broker by whom he was employed at the time of the issuing of such license to him, it shall be the duty of such employer to immediately deliver, or send by registered mail, to the commission, such real estate salesman's license. Such employer shall, at the time of mailing such real estate salesman's license to the commission, address a communication to the last known residence of such real estate salesman, advising him that his license has been delivered or mailed to the commission, and a copy of such communication to the real estate salesman shall accompany the license when mailed or delivered to the commission. It shall be unlawful for any real estate salesman to perform any of the acts contemplated by this act, either directly or indirectly, under the authority of such salesman's license, from and after the date of receipt of said license by the commission. A new license may be issued to such salesman, without additional charge, upon satisfactory proof that said salesman has obtained employment with another licensed broker. No new license shall be issued, however, until such real estate salesman shall return to the commission the pocket card issued with the original license, or shall satisfactorily account to said commission for the same. Not more than one license shall be issued by any real estate salesman for the same period of time.

11. The annual fee for each real estate broker's license shall be ten dollars. The annual fee for each real estate salesman's license shall be five dollars. Each license granted under this act shall entitle the licensee to perform all of the acts contemplated herein during the period for which such license is issued, without payment of any fee other than the annual fee for such license. New licenses may be granted for each ensuing year upon request of licensees and the payment of the annual fee therefor as herein required; but the commission shall have power in its discretion to refuse to grant

Salesmen's  
licenses.Return of  
licenses.After return  
of license  
unlawful to  
act.

New licenses.

License fees.

Privileges  
conferred.Renewal of  
license.

Revocation  
of license.

any new license upon sufficient cause being shown. The revocation of a broker's license shall automatically suspend every real estate salesman's license granted to employees of the broker whose license has been revoked, pending a change of employer and the issuance of a new license. Such new license shall be issued without additional charge, provided the same is granted during the same year in which the original license was granted.

Commission  
paid by em-  
ployer.

12. It shall be unlawful for any real estate salesman to accept a commission or valuable consideration for the performance of any of the acts herein specified, from any person except his employer, who must be a licensed real estate broker.

Investigation  
of acts.

13. The commission may upon its own motion, and shall upon the verified complaint in writing of any person, investigate the actions of any real estate broker or real estate salesman, or any person who shall assume to act in either such capacity within this State; and said commission shall have power to suspend for a period less than the unexpired portion of the licensed period, or to revoke any license issued under the provisions of this act, where the licensee, in performing or attempting to perform any of the acts mentioned herein, is deemed to be guilty of—(a) making any false promises or any substantial misrepresentation, or (b) acting for more than one party in a transaction without the knowledge of all parties thereto, or (c) pursuing a flagrant and continued course of misrepresentation or the making of false promises through agents, salesmen, advertisements or otherwise, or (d) failure to account for or to pay over any moneys belonging to others, coming into the possession of the licensee, or (e) any conduct which demonstrates unworthiness, incompetency, bad faith or dishonesty. This act shall not be construed to relieve any person from civil liability or criminal prosecution under the laws of this State.

Suspension;  
causes for.

Notice of  
proposed  
revocation.

14. The commission shall, before suspending or revoking any license, and at least ten days prior to the date set for the hearing, notify in writing the holder of such license of any charges made, and shall afford such licensee an opportunity to be heard in person or by counsel. Such written notice may be served either personally or by mailing same by registered mail to

the last known business address of such licensee. If such licensee be a salesman, the commission shall also notify the broker employing him, specifying the charges made against such salesman, by sending a notice thereof by registered mail to the broker's last known business address. The commission shall have power to subpoena and bring before it any person in this State, or take testimony by deposition, in the same manner as prescribed by law in judicial proceedings in the courts of this State. The findings of fact made by the commission acting within its own powers shall, in the absence of fraud, be conclusive, but the Supreme Court shall have power to review all questions of law involved in any final decision or determination of the commission; *provided*, that application is made to the Supreme Court by the aggrieved party within thirty days after such determination. Such application to the Supreme Court shall be made by petition to any justice of said court, and said justice shall have power to dispose of the matter in a summary manner.

Findings  
conclusive.

Proviso.

15. Any unlawful act or violation of any of the provisions of this act, on the part of any real estate salesman, shall not be cause for the revocation of any real estate broker's license unless it shall appear to the satisfaction of the commission that the real estate broker employing such salesman had guilty knowledge thereof.

Revocation  
of salesman's  
license.

16. A non-resident of this State may become a real estate broker or a real estate salesman by conforming to all of the provisions of this act. Every non-resident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in any of the courts of record of this State, by the service of any process or pleading authorized by the laws of this State, in any county in which the plaintiff may reside, by serving the same on the secretary of the commission, said consent stipulating and agreeing that such service of such process or pleadings on said secretary shall be taken and held in all courts to be as valid and binding as if due service had been made personally upon said applicant in the State of New Jersey. Said consent shall be duly acknowledged, and,

As to non-  
residents.

Consent filed.

if made by a corporation, shall be authenticated by the seal of such corporation. All applications from corporations shall be accompanied by a duly certified copy of the resolution of the Board of Directors, authorizing the proper officers to execute the same. In all cases where process or pleadings shall be served, under the provisions of this act, upon the secretary of the commission, such process or pleadings shall be served in duplicate, one of which shall be filed in the office of the commission and the other shall be forwarded immediately by the secretary of the commission, by registered mail, to the last known business address of the non-resident licensee against which such process or pleadings are directed. All non-resident licenses issued by the commission shall be on a special form distinguishable from licenses issued to resident brokers and salesmen, and shall show the name and address of the licensee and shall have imprinted thereon the seal of the commission and shall contain such other matter as shall be prescribed by the commission; and with each non-resident license the commission shall prepare and deliver a pocket card in all respects as herein provided for licenses issued to resident brokers and salesmen, except that the pocket card accompanying non-resident licenses shall be of a different color so as to distinguish the same from the cards issued to resident licensees.

Special form  
of license.

List of  
licenses.

List in  
county clerk's  
office.

17. The commission shall publish, at least twice in each year, a list of the names and addresses of all licensees licensed under the provisions of this act, and also a list of all licenses which have been suspended or revoked within one year from the date of the publication of such list. Such list shall also contain such other information relative to the enforcement of the provisions of this act as the commission may deem of interest to the public. One of such lists shall be forwarded to the county clerk of each county in the State within ten days after its publication, and such lists shall be held by such county clerks as a public record for a period of one year. Such lists shall also be mailed by the commission to any person in the State, upon request.

18. Any person violating the provisions of this act shall, upon conviction thereof, be punishable by a fine of not less than one hundred dollars or more than five hundred dollars, or by imprisonment for a term not to exceed one year, or by both such fine and imprisonment, in the discretion of the court; any firm, association, partnership or corporation violating the provisions of this act shall, upon conviction thereof, be punishable by a fine of not exceeding one thousand dollars. Action for recovery of penalty or for violation of this act shall be brought in the Court of Common Pleas of the county in which the offense is committed. Practice and procedure in any such action shall conform to the practice and procedure prevailing in the court in which the action is instituted and shall be brought in the name of the commission created by this act.

Individual  
penalty.Corporation  
liability.Recovery of  
penalty.

19. If any provision of this act is declared or held to be unconstitutional, no other portions of the act shall be affected thereby, but the unconstitutional provision shall be excinded and the remaining provisions of this act shall continue in force.

Constitution-  
ality of act.

20. This act shall take effect on the first day of July, one thousand nine hundred and twenty-one.

Act effective.

Approved April 5, 1921.

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CHAPTER 142.

An Act to amend an act entitled "An act for the protection of deer," approved March twenty-seventh, one thousand nine hundred and twelve, approved April seventh, one thousand nine hundred and nineteen.

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

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

Section 3  
amended.

Use of fire-  
arms.

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 shotgun of a smaller calibre than twelve gauge, or to load such firearm or shotgun with a bullet or other missile larger than that commonly known as buckshot, under a penalty of five hundred dollars for each offense.

Penalty.

This act shall take effect immediately.

Approved April 5, 1921.

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CHAPTER 143.

An Act to amend an act entitled "An act to amend an act entitled '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 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," approved April second, one thousand nine hundred and twelve,' " which amendment was approved April seventeenth, nineteen hundred and nineteen.

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

Section 5  
amended.

I. Section five of the act referred to in the title of this act be and the same hereby is amended to read as follows:

Duties of  
commissioner:

The Commissioner of Education shall, with the advice and consent of the State Board of Education:

Designate  
secretary:

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.

II. Appoint four assistant commissioners of education, each at an annual salary of sixty-five hundred dollars, and designate one of them to act in his place during his absence.

Appoint assistant commissioners; salary;

III. Designate one of such assistants to act as supervisor of secondary education and define his duties, cause him to devote his entire time to the duties of his office.

Designate supervisors of secondary schools;

IV. Designate one of such assistants to act as supervisor of elementary education and define his duties.

Of elementary schools;

V. Designate one of such assistants to act as supervisor of industrial education, including agriculture, and define his duties.

Of industrial schools;

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.

Hearing disputes;

VII. Appoint an inspector of buildings who shall devote his entire time to the duties of his office. The Commissioner of Education shall likewise have the power to appoint one or more assistants as may be necessary.

Inspectors of buildings;

VIII. Appoint an inspector of accounts who shall devote his entire time to the duties of his office.

Inspector of accounts;

IX. 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 examination; prescribe the times and places for holding them and the rules governing them;

Tests and examinations;

Proviso.

Questions prepared;

- 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.
- Report of tests; District rights; Prescribe minimum courses; Sub-normal children; Hold meetings of superintendents; Withholding funds; Report monthly to State board.
- Nothing herein contained shall impair the right of each district to prescribe its own rules for promotion.
- X. 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.
- XI. Prescribe such method as to him may seem best for use in ascertaining what children are three years or more below the normal.
- XII. 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.
- XIII. 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.
- XIV. 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.
2. This act shall take effect immediately.
- Approved April 5, 1921.

## CHAPTER 144.

An Act to amend an act entitled "An act to amend an act entitled 'An act to establish a State highway system, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof,' approved March thirteenth, one thousand nine hundred and seventeen," approved April sixth, one thousand nine hundred and twenty.

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

1. Section one of an act entitled "An act to amend an act entitled 'An act to establish a State highway system, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof,' approved March thirteenth, one thousand nine hundred and seventeen," approved April sixth, one thousand nine hundred and twenty, be and the same is hereby amended to read as follows:

Section 1  
amended.

1. The State Highway Commission shall, as soon as practicable, lay out routes for a State highway system, as follows:

Routes for  
highway sys-  
tem.

## ROUTES.

Route No. 1. From Elizabeth to Trenton, by way of Rahway, Metuchen, New Brunswick and Hightstown.

Route 1.

Route No. 2. From Trenton to Camden, by way of Bordentown, Fieldsboro, Roebling and Burlington.

Route 2.

Route No. 3. From Camden to Absecon, by way of Berlin and Hammonton.

Route 3.

Route No. 4. From a point on Route No. 1, in or near Rahway, to Absecon, by way of Perth Amboy, Keyport, Middletown, Red Bank, Long Branch, As-

Route 4.

bury Park, Point Pleasant, Lakewood, Toms River, Tuckerton and New Gretna.

- Route 5. Route No. 5. From Newark to the bridge crossing the Delaware river about two miles above Delaware, by way of Morristown, Dover, Netcong, Budd's Lake, Hackettstown, Buttsville and Delaware.
- Route 6. Route No. 6. From Camden to Bridgeton and Salem, by way of Gloucester, Woodbury, Mullica Hill, Woodstown and Pole Tavern, including therein a spur extending from the property line of the Gloucester and Philadelphia Ferry Company to a point on Broadway, in the city of Gloucester known as Pine Grove Toll Gate.
- Route 7. Route No. 7. From Hightstown to Asbury Park, by way of Freehold, Jerseyville and Hamilton.
- Route 8. Route No. 8. From Montclair to State line at Unionville, by way of Singac, Wayne, Pompton Plains, Butler, New Foundland, Stockham, Franklin Furnace and Sussex.
- Route 9. Route No. 9. From Elizabeth to Phillipsburg, by way of Westfield, Plainfield, Bound Brook, Somerville, White House, Clinton, West Portal and Bloomsbury.
- Route 10. Route No. 10. From Paterson to Fort Lee Ferry, by way of Dundee Lake and Hackensack.
- Route 11. Route No. 11. From Newark to Paterson, by way of Belleville, Bloomfield, Nutley and Passaic.
- Route 12. Route No. 12. Paterson to Phillipsburg, by way of Little Falls, Pine Brook, Parsippany, Denville, thence over Route No. 5 to Budd's Lake, thence to Washington and Broadway.
- Route 13. Route No. 13. New Brunswick to Trenton, by way of Kingston, Princeton and Lawrenceville.
- Route 14. Route No. 14. From Egg Harbor City to Cape May City, by way of Mays Landing, Tuckahoe and Cape May Court House.
- Route 15. Route No. 15. From Bridgeton to Cape May Court House, or such other point on Route No. 14 as may be determined by the State Highway Commission.
- Route 16. Route No. 16. From Morristown to Trenton, by way of Van Dorn's Mills, Bernardsville, Far Hills, Bedminster, Pluckemin, Somerville, South Somerville, Belle Mead and Harlingen.

Said routes shall be as short and direct as practicable between the points specified, due regard being had for the other requirements of the act.

Direct as practicable.

Existing highways may be made use of wherever it is convenient so to do, but the commission may lay out, open and improve new roads over acquired rights of way and may also lay out routes in continuation of, connecting with, or in addition to the routes above specified.

Use of existing roads.

2. This act shall take effect immediately.

Approved April 5, 1921.

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CHAPTER 145.

A Supplement to an act entitled "An act to establish a State Highway Department and to define its powers and duties; vesting therein all the powers and duties now devolved by law upon the Commissioner of Public Roads, and the existing State Highway Commission and Highway Commission," approved March thirteenth, one thousand nine hundred and seventeen.

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

1. Whenever the commission created by the act to which this act is a supplement shall have acquired by purchase or condemnation lands for highway purposes, and subsequently, by reason of the relocating of any highway, it shall be determined by such commission that lands heretofore acquired are no longer needed for highway purposes, such commission is hereby authorized and empowered to dispose, by sale, of lands so as aforesaid acquired.

Sale of land acquired for roads not needed.

2. Before any sale, as contemplated by this act, is held, notice of intention to dispose of lands, so ac-

Notice of intention to sell.

quired by purchase or condemnation, shall be given by the State Highway Commission to the abutting property owner or owners; thereafter the commission may dispose of lands, so acquired, at either public or private sale, and the State Highway Commission is hereby authorized to make a deed therefor in the name of the State of New Jersey to the purchaser of such lands.

3. This act shall take effect immediately.

Approved April 5, 1921.

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CHAPTER 146.

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)."

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 to read as follows:

1. It shall and may be lawful for the boards of chosen freeholders of the several counties of this State, on the recommendation and request in writing of the prosecutor of the pleas of the county, approved by the chief justice or a justice of the Supreme Court, or the judge of the Court of Common Pleas of the respective county, to offer a reward not exceeding five thousand dollars for the detection and apprehension of any person guilty of murder, burglary, robbery, arson, or other heinous crime in such county, such reward to be payable after conviction out of the funds of the county as may be applicable thereto.

2. This act shall take effect immediately.

Approved April 5, 1921.

Section 1  
amended.

Reward for  
apprehension  
of criminals  
guilty of  
heinous  
crimes.

## CHAPTER 147.

An Act to further amend section three of "An act entitled 'An act relating to county detectives in counties of the first class,' " approved April twenty-seventh, nineteen hundred and five.

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

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

Section 3  
amended.

3. The prosecutor may designate one of the persons so appointed as chief of county detectives, and one of the persons so appointed as captain of county detectives, and three of such persons as lieutenants; the persons designated as chief and captain, respectively, and the persons designated as lieutenants, shall receive such annual salary, not less than fifteen hundred dollars, as the prosecutor shall fix; and all other persons so appointed shall receive such annual salary, not less than one thousand dollars, as the prosecutor shall fix; said salaries shall be paid semi-monthly by the county treasurer, but the amount thereof, if more than the minimum herein prescribed, shall be subject to the approval of the board of chosen freeholders of counties of the first class.

County de-  
tectives;  
rank and  
salary.

2. This act shall take effect immediately.

Approved April 6, 1921.

## CHAPTER 148.

An Act to amend an act entitled "An act to establish a State Highway System, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof," approved March thirteenth, one thousand nine hundred and seventeen.

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

Section 1  
amended.

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

Routes for  
highway sys-  
tem.

1. The State Highway Commission shall, as soon as practicable, lay out routes for a State Highway System as follows:

## ROUTES.

- Route 1. Route No. 1. From Elizabeth to Trenton, by way of Rahway, Metuchen, New Brunswick and Hightstown.
- Route 2. Route No. 2. From Trenton to Camden, by way of Bordentown, Fieldsboro, Roebling and Burlington.
- Route 3. Route No. 3. From Camden to Absecon, by way of Berlin and Hammonton.
- Route 4. Route No. 4. From a point on Route No. 1, in or near Rahway, to Absecon, by way of Perth Amboy, Keyport, Middletown, Red Bank, Long Branch, Asbury Park, Point Pleasant, Lakewood, Toms River, Tucker-ton and New Gretna.
- Route 5. Route No. 5. From Newark to the bridge crossing the Delaware river about two miles above Delaware, by way of Morristown, Dover, Netcong, Budd's Lake, Hackettstown, Buttsville and Delaware.
- Route 6. Route No. 6. From Camden to beginning of Route No. 15 and Salem, by way of Woodbury, Mullica Hill, Woodstown and Pole Tavern, and from Salem to beginning of Route No. 15, by way of Quinton and Shiloh, including therein a spur extending from the property line of the Gloucester and Philadelphia Ferry

Company to a point on Broadway, in the city of Gloucester, known as Pine Grove Toll Gate.

Route No. 7. From Hightstown to Asbury Park, by way of Freehold, Jerseyville and Hamilton. Route 7.

Route No. 8. From Montclair to State line at Unionville, by way of Singac, Wayne, Pompton Plains, Butler, New Foundland, Stockham, Franklin Furnace and Sussex. Route 8.

Route No. 9. From Elizabeth to Phillipsburg, by way of Westfield, Plainfield, Bound Brook, Somerville, White House, Clinton, West Portal and Bloomsbury. Route 9.

Route No. 10. From Paterson to Fort Lee Ferry, by way of Dundee Lake and Hackensack. Route 10.

Route No. 11. From Newark to Paterson, by way of Belleville, Bloomfield, Nutley and Passaic. Route 11.

Route No. 12. Paterson to Phillipsburg, by way of Little Falls, Pine Brook, Parsippany, Denville, thence over Route No. 5 to Budd's Lake, thence to Washington and Broadway. Route 12.

Route No. 13. New Brunswick to Trenton, by way of Kingston, Princeton and Lawrenceville. Route 13.

Route No. 14. From Egg Harbor City to Cape May City, by way of Mays Landing, Tuckahoe and Cape May Court House. Route 14.

Route No. 15. From Bridgeton to Cape May Court House, or such other point on Route No. 14 as may be determined by the State Highway Commission. Route 15.

Route No. 16. From Morristown to Trenton by way of Van Dorn's Mills, Bernardsville, Far Hills, Bedminster, Pluckemin, Somerville, South Somerville, Belle Mead and Harlingen. Route 16.

Said routes shall be as short and direct as practicable between the points specified, due regard being had for the other requirements of the act. Direct as practicable.

Existing highways may be made use of wherever it is convenient so to do, but the commission may lay out, open and improve new roads over acquired rights of way and may also lay out routes in continuation of, connecting with, or in addition to the routes above specified. Use of existing roads.

2. This act shall take effect immediately.

Approved April 6, 1921.

## CHAPTER 149.

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

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

Section 15  
amended.

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

Jurisdiction  
of board.

15. The board shall have general supervision and regulation of, jurisdiction and control over, all public utilities, and also over their property, property rights, equipment facilities and franchises so far as may be necessary for the purpose of carrying out the provisions of this act. The term "public utility" is hereby defined to include every individual, copartnership, association, corporation or joint stock company, their lessees, trustees or receivers appointed by any court whatsoever, that now or hereafter may own, operate, manage or control within the State of New Jersey any steam railroad, street railway, traction railway, auto bus commonly called jitney, the route of which in whole or in part parallels upon the same street the line of any street railway or traction railway; canal, express, subway, pipe line, gas, electric light, heat, power, water, oil, sewer, telephone, telegraph system, plant or equipment for public use, under privileges granted or hereafter to be granted by the State of New Jersey or by any political subdivision thereof.

"Public utility defined.

Existing con-  
sents to  
auto buses  
recognized.

2. Nothing herein contained shall extend the powers of the Board of Public Utility Commissioners to include any supervision and regulation of, or jurisdiction and control over, the operation of any auto bus, commonly called jitney, over its present route, under and

in accordance with the consent of the municipal authorities granted therefor prior to March fifteenth, one thousand nine hundred and twenty-one, by the owner of such consent on said date, or under and in accordance with the renewal of such consent granted to such owner as aforesaid, for further operation by him, upon the expiration of the time limit set forth in such consent.

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

Passed April 6, 1921.

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CHAPTER 150.

An Act concerning intoxicating liquors used or to be used for nonbeverage purposes.

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

1. The short title of this act shall be the "Non-Beverage Liquor Act." Short title.  
"Liquor."

2. The word "liquor" and the words "intoxicating liquor" shall each be construed to mean and to include alcohol, brandy, whiskey, rum, gin, beer, ale, porter, wine and any other spirituous, vinous, malt, brewed or fermented liquor, mixed liquors, and all liquids, admixtures and compounds, whether medicated, proprietary, patented or not, and by whatever name called, which contain one-half of one per centum, or more, of alcohol by volume, and which are fit for use for beverage purposes.

3. The words "fit for use for beverage purposes" shall be construed to mean any liquid which is suitable for a drink, or adapted, or intended by the manufacturer thereof or dealer therein to be used as a drink. "Fit for beverage."

- "Person." 4. The word "person" shall be construed to mean and include natural male or female persons, both singular and plural, firms, copartnerships, corporations, and all associations of natural persons, and the servants, agents or employees of such natural persons, firms, copartnerships, corporations or associations.
- "Officer." 5. The word "officer" shall be construed to mean any sheriff, deputy sheriff, constable, police officer, or any other person having power under the laws of this State to execute a warrant for arrest.
- "Board of pharmacy." 5-a The words the "board of pharmacy" as used in this act shall mean "The Board of Pharmacy of the State of New Jersey."
- "Costs." 6. The word "costs" shall be construed to mean all fees chargeable under this act against a defendant in any proceeding under this act including any expense incurred in the care and safekeeping of any property, *provided* said expense shall be certified by the magistrate as necessary thereto and proper to be included in the costs.
- Proviso. *provided* said expense shall be certified by the magistrate as necessary thereto and proper to be included in the costs.
- "Defendants." 7. The word "defendant" shall be construed to mean the person against whom a complaint in writing under oath is made before a magistrate charging a violation of this act.
- "Complainant." 8. The word "complainant" shall be construed to mean the person who makes a complaint in writing under oath before a magistrate charging a person with violating one or more of the provisions of this act; and such a charge so made is referred to and called in this act the complaint.
- "Regulation." 9. The word "regulation" shall mean any regulation prescribed under or by virtue of the laws of the United States for carrying into effect the Eighteenth Amendment of the Federal Constitution.
- "Commissioner." 10. The words "commissioner" or "Commissioner of Internal Revenue" shall mean the Commissioner of Internal Revenue of the United States, or other Federal officer empowered by the laws of the United States to perform the duties and exercise the authority now imposed upon or given to the Commissioner of Internal Revenue under the "National Prohibition Act."

11. The words "county clerk" shall mean the clerk of the county. "County clerk."
12. The word "permit" shall mean the written authorization by the commissioner or other Federal officer duly authorized to issue permits under the National Prohibition Act, setting forth specifically therein the things that are authorized. "Permit."
13. The words "holder of a permit" "or 'permit holder'" shall mean the person to whom a basic or specific permit then in force has been lawfully issued. "Permit holder."
14. The words "basic permit" shall mean a "permit" authorizing the holder thereof to engage in the business of manufacturing, using, purchasing, selling, transporting, or prescribing liquor, or selling wine for sacramental purposes, or manufacturing liquor or liquor preparations or compounds for nonintoxicating beverage purposes for a prescribed, definite period of time. "Basic permit."
15. The words "specific permit" shall mean a "permit" authorizing one or more particular transactions of the purchase or transportation of liquor; *provided*, that this section shall not be construed to apply to permits known as blanket withdrawal permits authorizing purchases of alcohol from time to time for industrial uses only during a period of ninety days from the date of their issue lawfully issued and approved by authority of the Commissioner of Internal Revenue in accordance with the provisions of the "National Prohibition Act" and regulations thereunder, or any amendments thereto. "Specific permit."  
Proviso.
16. The word "alcohol" shall mean ethyl alcohol; *provided, however*, that this act shall not apply to ethyl alcohol lawfully denatured in accordance with formulas prescribed by the Commissioner of Internal Revenue under the provisions of section ten of title three of the National Prohibition Act, or any amendments thereto. "Alcohol."  
Proviso.
17. The words "retail druggist" or "pharmacist" shall be construed to mean a person authorized by this act to dispense liquor on a physician's prescription. "Pharmacist."
18. The words "wholesale druggist" as used in this act shall be construed to mean a person who is duly registered by the State Board of Pharmacy of New Jersey, as provided for in this act, and who is engaged in the business of selling drugs, oils, chemicals, pharma-

ceuticals, proprietary medicines and druggists' sundries to duly registered pharmacists who are holders of basic permits, and whose stock of such drugs, oils, chemicals, pharmaceuticals, proprietary medicines and druggists' sundries shall be maintained in such assortments and quantities as will enable such person to supply regularly from said stock, through selling service and credit extension, the usual and immediate requirements thereof to retail druggists and pharmacists, hospitals and dispensaries, and whose business for at least one year shall have been primarily and principally in such articles.

Basic permit  
necessary to  
sell, etc.

19. It shall be unlawful, except as hereinafter provided, for any person, after thirty days from the passage of this act, to manufacture, use, sell, purchase, transport or prescribe liquor, to sell wine for sacramental purposes, or to manufacture liquor or liquor preparations or compounds for non-beverage purposes, or to manufacture liquor or liquor preparations or compounds for non-intoxicating beverage purposes, unless such person shall first have obtained the appropriate basic permit from the commissioner to manufacture, use, sell, purchase, transport or prescribe liquor, or to sell wine for sacramental purposes, or to manufacture liquor preparations or compounds for non-beverage purposes, or to manufacture liquor or liquor preparations or compounds for non-intoxicating beverage purposes, respectively, and shall also have said basic permit countersigned by the county clerk, as hereinafter in this act provided.

Purposes  
for which  
liquor may  
be dealt in;

20. It shall be lawful, after thirty days from the passage of this act, to manufacture, sell, barter, transport, import, export, deliver, furnish, receive, give away, prescribe, possess, solicit or advertise liquor under and according to the conditions prescribed by this act and by the laws of the United States and the regulations of the commissioner for the following uses and purposes:

Sacramental;  
Medicinal;  
Manufacturing;

- (a) Wine for sacramental purposes;
- (b) Liquor for medicinal purposes;
- (c) Liquor for manufacturing and scientific purposes;

(d) Denatured alcohol and denatured rum, produced and used as provided by the laws of the United States and the regulations of the commissioner; Denatured;

(e) Medicinal preparations manufactured in accordance with formulas prescribed by the United States Pharmacopœia, or National Formulary, or the American Institute of Homeopathy, that are unfit for use for beverage purposes; Medicinal preparations;

(f) Patented, patent and proprietary medicines that are unfit for use for beverage purposes; Patent medicines;

(g) Perfumes, and toilet, medicinal and antiseptic preparations and solutions that are unfit for use for beverage purposes; Toilet articles;

(h) Flavoring extracts and sirups that are unfit for use as a beverage, or that are unfit for intoxicating beverage purposes; Flavoring extracts;

(i) Vinegar and preserved sweet cider.

Any person who shall knowingly sell any of the articles mentioned in this section, except flavoring extract or sirup, for beverage purposes, or who shall sell any flavoring extract or sirup for intoxicating beverage purposes, or who shall sell any beverage containing one-half of one per centum or more of alcohol by volume, in which any flavoring extract, sirup or other article is used as an ingredient, shall be deemed and adjudged a disorderly person. Cider and vinegar. Sale for beverage disorderly.

21. It shall be the duty of the clerk of the county in which any holder of a basic permit has his office or place of business, upon presentation of such basic permit to said county clerk, or upon receipt of such basic permit by said county clerk, to countersign said basic permit in his own proper hand, if he shall find the same authentic, regular and valid as hereinafter provided. Basic permit countersigned by county clerk.

22. All such basic permits now outstanding or hereafter issued, shall be presented by the permit holder to said county clerk for such countersignature, together with an affidavit in substantially the form following, viz.: Form of basic permit.

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

....., being duly sworn upon <sup>his</sup> her oath, according to law, says: I reside at.....; and that the accompanying permit, dated....., numbered....., issued to..... of ..... street, ..... New Jersey, was issued to me, for the purpose of authorizing me to..... (Purchase, sell, use, prescribe, or as the case may be.) liquor for the purpose of.....

Said permit states the true purpose for which the liquor to be procured thereunder is to be used; none of said liquor is to be used for beverage purposes, and the said permit was duly issued and is still in force and effect.

(Signed),

.....  
Subscribed and sworn to before me this..... day of ..... 19....

Must be countersigned.

Upon receipt of said basic permit and affidavit said county clerk, if he shall find the same to be authentic, regular and valid, shall countersign and index said permit as in this act provided; and no basic permit shall be valid or effective in this State unless countersigned by the county clerk.

False affidavit perjury.

23. Any person knowingly making any false affidavit, wherever an affidavit is required by this act, shall be guilty of perjury.

Affidavits filed.

24. All affidavits required by this act to be filed with the county clerk shall be retained in the office of said county clerk, and shall be given serial numbers, which said clerk shall endorse thereon, with the date of receipt and the name of the holder of the basic permit; and such serial number shall also be endorsed upon the basic permit when the county clerk countersigns the same.

County clerk not to sign in doubt.

25. No county clerk shall countersign any basic permit when he shall know, or have reason to believe, that such basic permit is not authentic, or that the person

claiming the right to such basic permit is not the person to whom the basic permit was issued.

26. It shall be the duty of the county clerk, in case he has reason to believe that any basic permit is not valid, or that the person claiming the right to such basic permit is not the person to whom it is issued, to retain the same until he has satisfied himself of its true nature, and in such case he shall notify the Federal officer, whose name is purported to be signed thereto, and give said Federal officer opportunity to pass upon its authenticity.

If in doubt to retain permit.

27. The person presenting for countersignature any basic permit shall pay, and the clerk shall receive, for such countersignature, and indexing, the fee of two dollars, to be applied as are other fees received by such clerk.

Clerk's fee.

28. It shall be unlawful for any person to purchase, sell, receive, transport, or carry, liquor for nonbeverage purposes without having in his possession at the time of such purchase, sale, receiving, transporting or carrying, a lawful specific permit concerning such liquor; *provided* nothing in this section shall apply to liquor lawfully obtained on a physician's prescription; *and provided, further*, that the provisions of this section shall not be construed to apply to the lawful purchase, sale, transportation and delivery of alcohol under permits known as blanket withdrawal permits authorizing purchases of alcohol from time to time for industrial uses only during a period of ninety days from the date of their issue, issued and approved by authority of the Commissioner of Internal Revenue, in accordance with the provisions of the National Prohibition Act and regulations thereunder and amendments thereto; but persons transporting or delivering alcohol under authority of such permits known as blanket withdrawal permits shall have in their possession at the time of such transportation or delivery a copy of their basic permit allowing such transportation or delivery.

Must have permit.

Proviso.

Proviso.

Blanket withdrawal.

29. No basic permit to any physician shall be countersigned and indexed by the county clerk, unless such physician shall be licensed or authorized by law

Physicians must be licensed.

to practice medicine in this State, and shall be engaged in the active practice of medicine in this State.

Pharmacists  
must be  
registered.

30. No basic permit to any pharmacist shall be countersigned by the county clerk unless such pharmacist shall be duly registered as a pharmacist according to the laws of this State, and shall be conducting an established pharmacy or retail drug store, or shall be employed as a pharmacist at the address named in such permit.

Wholesale  
druggists  
registered.

31. It shall be unlawful for any wholesale druggist within this State to sell liquor without being duly registered by the Board of Pharmacy as herein provided.

Wholesaler's  
application.

32. Any wholesale druggist desiring to sell liquor shall apply to the Board of Pharmacy for registration, as a wholesale druggist entitled, under this act, to sell liquor, and shall at the same time deposit with said board a registration fee of twenty-five dollars. Said application shall set forth that the applicant is a duly qualified wholesale druggist under this act and is the holder of a basic permit to sell liquor, and said application shall be duly verified.

Fee.

Registration  
of wholesalers.

33. If the Board of Pharmacy shall be satisfied that the applicant is a duly qualified wholesale druggist under this act, and is otherwise a proper person to be registered, and is the holder of a basic permit to sell liquor, said board shall register said person as a wholesale druggist under this act, and shall issue to said applicant a certificate certifying the fact of such registry and shall send a certified copy of such certificate to each county clerk in this State.

Application  
of fee.

34. In case said application for registration be granted, said registration fee shall be applied as is provided by law for registration fees of pharmacists,—otherwise said fee shall be returned.

Registration  
personal.

35. Such registration shall be personal and shall not be assignable or transferable.

Certificate  
filed and  
evidence.

36. Upon receipt of such copy of such certificate, each county clerk shall file and keep the same as evidence of the right of such wholesale druggist to do business within that county.

37. Any basic permit though countersigned by the county clerk as provided in this act, shall be null and void in this State, and all rights and privileges granted hereunder by reason thereof shall terminate and cease if the holder of any basic permit shall be convicted of any violation of any Federal or State law or of any regulation of the Commissioner of Internal Revenue, relating to liquor; and thereafter for at least one year no basic permit to any such permit holder so convicted, shall be countersigned by any county clerk in this State.

Conviction  
to void per-  
mit.

38. The board of pharmacy may cancel the registration and certificate of any wholesale druggist found guilty of any violation of any Federal or State law, or of any regulation of the Commissioner of Internal Revenue Department relating to liquor; *provided*, the said wholesale druggist be given a hearing before said board to show cause why the said registration and certificate should not be cancelled, and if upon said hearing no sufficient cause be shown why said registration and certificate should not be cancelled, the said board shall cancel the said registration and certificate. And upon such cancellation said Board of Pharmacy shall forthwith send written notice thereof to each county clerk of the State, who thereupon shall strike from his files the certified copy of the registration of such wholesale druggist.

Cancellation  
of registration.

Proviso.

County clerks  
notified.

39. The Board of Pharmacy, whenever it shall, for any reason, revoke the registration of any retail druggist or pharmacist, shall forthwith send written notice of such revocation to the county clerk of the county in which said retail druggist or pharmacist shall be doing business, and said county clerk, if such retail druggist or pharmacist shall have had a basic permit countersigned by such county clerk, shall note on the papers filed, and in the index in the office of such county clerk in which the name of said retail druggist or pharmacist appears, the fact that the registration of said retail druggist or pharmacist has been revoked, and thereafter such county clerk shall not countersign or file any permit issued to such retail druggist or pharmacist.

Revocations.

40. The county clerk shall also strike from his files and from his index the record of his countersignature

Action by  
county clerks  
on violations.

of the basic permit of any retail druggist or pharmacist found guilty of violating any law of the United States or of this State, or of any regulation of the Commissioner of Internal Revenue, relating to liquor, upon receipt of a copy of the record of such conviction, duly certified by the clerk of the Federal or State court in which such conviction was had, or upon receipt of an official report of such violation from the commissioner; and thereafter such county clerk shall not countersign or file any permit issued to such retail druggist or pharmacist.

As to specific permits.

41. Any person who is the holder of a basic permit, after having such permit countersigned by the county clerk, as in this act provided, shall not be required to have countersigned or indexed the specific permits issued to him from time to time; *provided*, the holder of such basic permit shall file a duplicate ~~or~~ copy of each specific permit, as hereinafter provided, in the office of said county clerk.

Proviso.

Filing copy of specific permit.

42. The holder of a basic permit shall file, or cause to be filed, such duplicate or copy of the specific permit as follows: he shall either cause a duplicate or copy of each specific permit to be mailed direct to the said county clerk by the Federal officer issuing the same, or such specific permit holder, within forty-eight hours after receiving the specific permit, shall file in the office of said county clerk a duplicate or a copy of such specific permit, to which duplicate or copy shall be attached a sworn statement by such permit holder, to the effect that the copy is a true copy of the specific permit issued.

Records kept by county clerk.

43. It shall be the duty of the county clerk to index in an alphabetical index; (a) in case of a basic permit, the serial number thereof, the name and address of the holder thereof, the date of issuance appearing on the basic permit, the date of expiration of the basic permit, and the authorized use of the liquor referred to in the basic permit; (b) in case of a specific permit, the serial number of the basic permit, the name and address of the holder of such specific permit, the date of issuance appearing on the specific permit, the kind, quantity and authorized use of the liquor as set forth in the specific permit. No specific permit shall be filed or indexed

by the clerk unless it shall have been issued as shown by its date, within five days previous to its receipt by said clerk; nor shall any specific permit be accepted by the county clerk if he has reason to believe such specific permit is not authentic.

44. No physician shall prescribe liquor except under and according to the conditions prescribed by this act and by the laws of the United States and the regulations of the commissioner, and for a legitimate and necessary medical purpose in the practice of his profession.

Prescribing  
liquor.

45. No retail druggist shall fill any prescription of a physician for liquor except under and according to the conditions prescribed by this act and by the laws of the United States and the regulations of the commissioner. Any specific permit issued to a retail druggist for the purchase of more than five gallons of liquor at one time shall be null and void in this State, and it shall be unlawful for any wholesale druggist to sell or deliver to a retail druggist more than five gallons of liquor on any one specific permit. And no retail druggist shall bring into this State more than five gallons of liquor obtained outside of this State on one specific permit.

Filling pre-  
scriptions.

Quantity al-  
lowed drug-  
gist.

46. In all proceedings under this act, a copy of any regulation of the Commissioner of Internal Revenue, shall be admissible in evidence to prove the regulation, if such copy be certified by the Commissioner of Internal Revenue or by his authorized representative in the district where such proceedings are had.

Certified  
copy of regu-  
lations in  
evidence.

47. The Board of Pharmacy is hereby authorized to conduct investigations and make determinations to carry out the purposes of this act upon the request in writing of any magistrate or prosecutor of the pleas for the purpose of determining whether any patented, patent or proprietary remedy or preparation, or any perfume, medicinal or antiseptic preparation or solution should be classified as being fit for use for beverage purposes and not in the non-beverage class. Upon such request in writing, said board shall fix a time and place for conducting such investigation, and if the name and address of the manufacturer of the preparation to be investigated is known to said board or can be ascertained from the original container of such preparation,

Investigating  
beverage class  
of medicines,  
etc.

said board shall give notice in writing to such manufacturer at the address so known, stating that an investigation is to be made at the time and place fixed and that said manufacturer may apply within fifteen days after the mailing of such notice by said board for a hearing before said board in relation to such pending investigation; and if such application be made by such manufacturer, said board shall fix a time and place for such manufacturer to show cause why the preparation under investigation should not be classified by said board as being fit for use for beverage purposes.

Determina-  
tion filed.

48. The said board after investigation and hearing, if a hearing be applied for as herein provided, shall have power to determine whether the preparation shall be classified as fit for use for beverage purposes and if the said board shall determine that the preparation investigated as aforesaid, shall be classified as fit for use for beverage purposes, said board shall file in the office of the Secretary of State of New Jersey, a copy of such determination signed by the president and attested by the secretary of said board, and it shall thereafter be unlawful to sell or manufacture said preparation in this State, except in the same manner as provided in this act for liquor.

Compensation  
of board for  
investigating

49. The members of the Board of Pharmacy when performing the duties required of them under this act, shall receive compensation at the same rate as is provided by law for their compensation, as members of said Board of Pharmacy, and also shall receive payment for any proper expense incurred in connection with action taken hereunder. The compensation herein provided for members of the Board of Pharmacy of New Jersey and the necessary expenses incurred in making any investigation provided for in this act shall be paid to said members and to any other person rendering such necessary service out of the fees received under this act or if there be no such funds available by the Treasurer of the State out of any funds appropriated for that purpose by the Legislature.

Records open  
to inspection.

50. All records provided for or referred to in this act as records required to be kept by druggists of the selling or dispensing of liquors, by physicians prescrib-

ing, liquor, or by any other permit holders, as aforesaid, whether such records are specifically required by the laws of the United States or by this State, or by the regulations of the Internal Revenue Commissioner, shall be open to the inspection of all police, peace or other law-enforcing officers, empowered to act hereunder, during the ordinary hours of the business of such permit holder.

51. The word "magistrate" shall be construed to mean the judges of the Court of Common Pleas in and for the several counties of this State, and every judge of the Court of Common Pleas may and shall act throughout the county as the magistrate created by this act; and the magistrate shall have power to administer oaths to witnesses and may administer any oath required to be taken in any proceeding under this act, and shall possess all the powers and perform all the duties conferred and imposed upon the magistrate provided for in this act.

"Magistrate"  
construed.

52. Every judge of the Court of Common Pleas, when sitting as a magistrate under this act, may sit in and use the court room of the Court of Common Pleas; and such of the court attendants and official interpreters as the magistrate shall deem necessary shall attend at the trial held before the magistrate and perform their usual duties, and the board of chosen freeholders of each county shall supply each magistrate with all necessary stationery, printed forms and record books required by the magistrate.

Court room  
attendants.

Stationery,  
etc.

53. If a defendant shall request that a complete record of the testimony taken at his trial be made, it shall be the duty of the stenographer usually attending the Court of Common Pleas to attend said trial and make a stenographic record of the testimony taken. For taking such testimony the stenographer shall be entitled to receive a per diem fee of ten dollars for each day he is engaged in taking such testimony, and such fee shall be paid to the stenographer by the county treasurer upon a certificate of the magistrate that the service was performed. For making a transcript of the testimony the stenographer shall be entitled to receive from the

Stenographic  
records.

person requesting the same the usual fee allowed for such service.

Fees included  
in costs.

54. If the defendant is convicted, and has requested that a complete record of the testimony at his trial be made, as aforesaid, the magistrate shall include in the costs against such defendant the fees payable, as aforesaid, to such stenographer for the taking of such testimony.

Violations  
to forfeit  
lease.

55. Any violation of this act upon any leased premises by any lessee, or employee of such lessee with the knowledge of his employer, shall, at the option of the owner or lessor, upon five days' written notice to the said lessee, work a forfeiture of the lease, and shall cause the right of possession to revert to the owner. Such right of possession may be enforced by the owner by summary proceedings as for term ended as prescribed by "An act concerning landlords and tenants," approved March twenty-seventh, one thousand eight hundred and seventy-four, and the amendments thereof and supplements thereto.

Arrest on  
sight.

56. It shall be the duty of every officer, with or without warrant or process, upon view, to arrest any person violating any of the provisions of this act, and to take him before a magistrate within the county where arrested, and forthwith to make a complaint against the person so arrested; and it shall be the duty of the magistrate forthwith to issue a warrant of arrest for such person, and of the officer to execute the warrant.

Warrant for  
arrest.

57. Whenever a complaint is made before any magistrate that a person has violated one or more of the provisions of this act, it shall be the duty of such magistrate, and every such magistrate is hereby given full power and authority, to issue his warrant to arrest any such person so complained against, and, summarily without a jury and without any pleadings, to try the person so arrested and brought before him, and to determine and adjudge his guilt or innocence.

Use of word  
"liquor."

58. In any complaint, warrant, conviction, judgment, record or record of any proceedings, the use of the word "liquor" shall be a sufficient description of any or all of the liquids included in the definition in section two of this act.

59. In any complaint one or more offenses may be set out, and the defendant may be tried and judgment given on each offense set out in such complaint, and the several penalties for each of such offenses of which the defendant is convicted may be imposed.

Separate offenses in one complaint.

60. It shall not be necessary at any trial, hearing or inquiry, or in any proceeding under this act, to aver in the complaint or to prove at the trial, that a defendant is not within any of the provisions or exceptions of this act.

Averment.

61. Whenever any person is charged by complaint with violating any of the provisions of this act and is brought before a magistrate, the magistrate shall forthwith try, or fix a time for the trial of, such person, and shall have power to hold such person to bail for such trial, and in default of bail to commit such person to the common jail to await such trial; and the magistrate shall have power to adjourn the trial upon application of the defendant, or upon application made on behalf of the State, or upon his own motion, for a period not exceeding two weeks at a time.

Time for trial.

Bail.

Adjourn trial.

62. If any person shall be convicted of violating any of the provisions of this act, it shall be sufficient for the record of the conviction to set out the name of the defendant, and the number or numbers of the section or sections violated and the short title of this act, the names of the witnesses sworn and a list of the exhibits produced at the trial, and the substance of the testimony upon which such conviction is had, and a statement that the defendant was convicted and adjudged to be a disorderly person with the date of such conviction, and the penalty imposed; and if the defendant pleaded guilty or non vult to the complaint, then a statement of that fact. Such conviction shall be signed by the magistrate. Such conviction, the complaint, the warrant of arrest and a copy of the commitment shall constitute a sufficient record. Such record shall be filed forthwith by the magistrate in the office of the county clerk of the county where such conviction is had, and shall be and remain a public record.

Record of conviction.

Record public.

63. Within ten days after conviction given by any magistrate under this act, the defendant shall have the

Review of conviction.

right to review the conviction before the justice of the Supreme Court holding the circuit in the county wherein such conviction was had, by filing notice of such intention to review with the county clerk; and the said justice on such review, shall have power to determine the legality of such conviction and to discharge the defendant from said conviction, if the same shall have been unlawfully had against such defendant. For such review said justice of the Supreme Court shall order the record herein provided for to be brought before him, and upon the application of and at the expense of the defendant, may require the magistrate to certify the transcript of the testimony taken, if the same was taken stenographically or was reduced to writing. No conviction had by any magistrate shall be set aside for any imperfection, defect in or lack of form, or for any error not affecting the merits of the case, or for want of evidence if there was sufficient evidence before the magistrate below to support the charge against the defendant.

Technicalities.

Correction of record.

Certiorari not abridged.

Reimbursement if conviction set aside.

Penalty for violations.

64. Upon the review of any conviction the justice of the Supreme Court may, by his order, correct any irregularity appearing upon the face of the record and not affecting the defendant upon the merits of the case.

65. Nothing in this act contained shall be construed as abridging the power of the Supreme Court to review by certiorari any proceeding had under this act.

66. If the conviction of any defendant shall be set aside by the justice of the Supreme Court reviewing the same, such defendant shall be entitled to be reimbursed by the county treasurer for any fine or taxed costs which have been actually paid by him, and also for any amount paid by him to the stenographer under the terms of this act, upon a bill rendered to the board of chosen freeholders in the form required by such board of chosen freeholders for payment of its ordinary bills.

67. Any person who shall violate any of the provisions of this act shall be deemed and adjudged to be a disorderly person, and shall, upon conviction thereof, be sentenced by the magistrate to be confined in the workhouse, penitentiary or common jail of the

county where the conviction is had, for a period not to exceed three months, or to pay a fine not to exceed five hundred dollars, or both, in the discretion of the magistrate, and also pay the costs.

68. If a fine is imposed by such magistrate and not forthwith paid, said magistrate shall order the defendant committed to the workhouse, penitentiary or common jail until such fine and the costs are paid; *provided*, that such defendant shall not remain confined after a period of twice the number of days as there are dollars in the fine and costs imposed, and in no event upon commitment for an unpaid fine or costs for a period longer than three months; *and provided, further*, that such defendant shall be forthwith discharged from such confinement upon payment of such fine and costs, deducting from the total sum thereof a credit for the time of such confinement at the rate of one dollar for every two days of confinement served.

Commitment  
for fine.

Proviso.

Proviso.

69. When any person shall be convicted of violating any of the provisions of this act, it shall be the duty of the county clerk of the county wherein such conviction is had forthwith upon receipt of the record from the magistrate, as herein provided, to index the judgment of conviction in a docket to be kept by him for that purpose; and said docket shall set out the name of the defendant, the date of the conviction, and the particular offense of which said defendant shall have been convicted, and the punishment imposed and the amount of costs certified by the magistrate; such docket shall be and remain a public record of said county.

Docket of  
convictions.

70. Any person may, by subpoena, be compelled by a magistrate to attend and testify upon any trial, hearing, investigation or other proceeding hereunder not against himself; and no such witness shall be excused from answering any question which the magistrate shall decide to be competent, on the ground that to answer might or would tend to incriminate or degrade said witness or to subject him to a penalty; but no answer made by any witness to any such question shall be used or admitted in evidence in any proceeding against said witness, except in a prosecution for perjury in respect to any such answer.

Witnesses  
subpoenaed.

Refusal to  
answer con-  
tempt of court.

71. Any disobedience to a subpoena, or any refusal to be sworn as a witness, or refusal to sign the testimony, or any refusal to answer any competent question in any trial or other proceeding before such magistrate, shall be a contempt of court, for which the magistrate shall have power summarily to punish the offender by imprisonment not exceeding thirty days, or by a fine not exceeding one hundred dollars.

Prosecutor's  
duty on al-  
leged viola-  
tions.

72. If any prosecutor of the pleas shall be notified in writing by any officer or other person of any violation of any of the provisions of this act, and such notification shall contain the names and addresses of witnesses, it shall be the duty of such prosecutor diligently to inquire into the facts of such alleged violations, and for that purpose such prosecutor is hereby authorized to issue subpoenas for such persons as he shall have reason to believe have any information concerning, or knowledge of, such alleged violation, to appear before him at a time and place named, then and there to testify under oath concerning any knowledge such witness may have of any violation of any of the provisions of this act; and the testimony of such witness may be reduced to writing and he shall, in the discretion of such prosecutor, be required to sign the same. If the testimony shall disclose that any violation of this act has been committed, it shall be the duty of the prosecutor, upon complaint being made, forthwith to apply for a warrant of arrest and have the defendant brought before a magistrate for trial.

Further  
duties of  
prosecutor.

73. It shall be the duty of the prosecutor of the pleas of each county to use all reasonable and lawful diligence for the detection, arrest and conviction of the persons violating this act, and all necessary expenses incurred thereby, certified to and approved under his hand and by a magistrate, shall be paid by the county treasurer, and if a conviction is reviewed, or a conviction is taken up on certiorari, it shall be the duty of such prosecutor of the pleas to carry such case to the final adjudication.

Prosecutions  
in name of  
State.

74. The prosecutor of the pleas in each county and his assistant prosecutors are hereby authorized to prosecute in the name of the State of New Jersey any pro-

ceeding and complaint for violations of any of the provisions of this act.

75. It shall be the duty of every sheriff, constable, police officer, and other peace officers, to use all due diligence to detect violations of this act and therefor to make complaint before a magistrate as herein provided.

Duties of  
peace officers.

76. Every magistrate, before whom any defendant is brought charged with violating any provision of this act, may take the recognizance to the State of New Jersey of such defendant, with surety, in a reasonable sum for his appearance before the said magistrate for trial at a future time, not exceeding ten days.

Taking re-  
cognizances.

77. If any person shall be bound by recognizance to the State of New Jersey, with condition for his appearance before any magistrate for trial or other proceeding under this act, and if such person shall not appear agreeably to the condition of such recognizance, then the magistrate before whom such recognizor may be bound to appear may forfeit the same, and shall forthwith certify the forfeiture of such recognizance and forward the said recognizance together with such certification to the prosecutor of the pleas of the county wherein such recognizor was bound to appear; and it shall be the duty of such prosecutor of the pleas to proceed by suit upon the said recognizance in any court of competent jurisdiction in the same manner now provided by law for suits upon recognizances forfeited in the several criminal courts in this State.

Action on  
forfeiture  
of bail.

78. A commitment for the imprisonment of any defendant convicted for the violation of any of the provisions of this act, shall be sufficient if such commitment shall be dated and signed by such magistrate, and be directed to the sheriff, keeper or warden of the penitentiary, workhouse or common jail of the county in which said conviction was had, and contain the name of the defendant, and a command to such sheriff, keeper or warden to receive and safely keep the defendant for such time as is by such magistrate therein directed, and a statement that the defendant has been adjudged by such magistrate to be a disorderly person under the "Non-Beverage Liquor Act" upon a complaint in writing under oath made before such magistrate and that

Commitment  
to prison.

the defendant was tried upon, or pleaded guilty to, such complaint as in said act provided.

Subpœnas,  
warrants, etc.

79. All subpœnas, warrants, writs and process issued by a magistrate shall be signed by him and be tested on the day they are issued, and process for the attendance of witnesses or for arrest, when issued under any of the provisions of this act, shall run throughout this State.

Bill of costs.

80. After the conviction of every defendant the magistrate shall forthwith send a copy of the bill of costs in the case to the county treasurer, and said magistrate shall endorse thereon the amount of the fine imposed, if a fine was imposed, and the name of the attorney for the State who appeared to prosecute the complaint.

Payment of  
fees, etc.

81. All fees and allowances shall be payable by the county treasurer out of any funds of the county not otherwise appropriated to the person performing the service or entitled under this act to receive the same, upon certificate of the magistrate that the same are proper charges; and for any payment so made such certificate shall be sufficient authority to such county treasurer.

Cash bail.

82. Whenever in this act a recognizance to the State of New Jersey is required the magistrate may accept money deposited with the county treasurer in lieu of surety on the recognizance; and if any recognizer shall not appear according to the conditions of his recognizance, the money so paid to the county treasurer in lieu of surety shall be forfeited and shall be retained by the county treasurer as if recovered on judgment and execution.

Fines paid  
to county.

83. All fines and all costs shall be paid to the county treasurer of the county in which such fines or costs are imposed and shall be for the use and benefit of such county.

Fees allowed.

84. In addition to the fees herein otherwise provided for, the fees in the following schedule shall be allowed in proceedings under this act, and where no fee is provided for any service to be performed the same shall be performed without any charge therefor.

Witnesses.

For each witness within the county, . . . . . 50 cents. Witnesses.

For each witness from without the county, one dollar; and for every mile of travel, five cents, computed by counting the number of miles in and out by the most direct route from the place where such process is returnable.

Sheriffs, Constables and other Officers.

Service of warrant for arrest, . . . . . 75 cents. Peace officers.

Service of subpoena, . . . . . 30 cents.

For every mile of travel in serving subpoena or warrant of arrest, after the first mile, computed by counting the number of miles in and out, by the most direct route from the place where such process is returnable, . . . 5 cents.

It shall not be necessary to pay a witness for the State his witness fee or mileage at the time the witness is served with subpoena, in order to make such subpoena binding upon the person served. Paying witnesses.

85. No person shall be prosecuted, tried or punished for violating any of the provisions of this act unless the complaint for the same shall be made within one year from the time of committing the offense. Time for making complaint.

86. If any provision of this act shall be held invalid, it shall not be construed to invalidate any other provision of the act. Validity of act.

87. All acts and parts of acts, general, special or local, inconsistent with any of the provisions of this act are hereby repealed. Repealer.

88. All acts and parts of acts, general, special or local, which make any act or thing prohibited or made unlawful by this act an indictable offense are hereby repealed, and all acts or things prohibited or made unlawful by this act shall hereafter be punished only under the provisions of this act, and shall not constitute indictable offenses; *provided*, any person who shall habitually violate any of the provisions of this act shall be liable as heretofore to indictment for keeping a disorderly house. Offenses under this act not indictable.

Proviso.

Effect of  
repeal.

89. The repeal of the above-stated acts and parts of acts shall not be construed to revive any act or any part of an act which may have been repealed by any of the acts hereby repealed; no offense committed prior to the date of this act taking effect, and no indictment or other criminal proceeding of any nature shall abate by reason of the repeal of said acts or parts of acts, but all proceedings on any indictments now pending, and every criminal proceeding of every nature, shall proceed and every offense committed prior to the date of this act taking effect may be prosecuted, as if this act had not been passed.

Former  
proceedings  
not affected.

Act effective.

90. This act shall take effect April thirtieth, nineteen hundred and twenty-one.

Passed April 6, 1921.

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CHAPTER 151.

An Act to authorize a commission to enter into a compact or agreement with the State of New York for the development of the port of New York.

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

Commissioners  
to make agree-  
ment with  
New York.

1. J. Spencer Smith, De Witt Van Buskirk and Frank R. Ford, or any two of them, commissioners heretofore appointed under chapter 130 of the Laws of 1917, of the State of New Jersey, together with the Attorney-General of the State of New Jersey, are hereby authorized as commissioners upon the part of the State of New Jersey to enter into, with the State of New York, by and through the commissioners appointed or who may be appointed under or by virtue of a law of the Legislature of the State of New York, an agreement or compact in the form following, that is to say:

Preamble.

WHEREAS, In the year 1834 the States of New York and New Jersey did enter into an agreement fixing and determining the rights and obligations of the two States

in and about the waters between the two States, especially in and about the bay of New York and the Hudson river; and

WHEREAS, Since that time the commerce of the port of New York has greatly developed and increased and the territory in and around the port has become commercially one center or district; and Preamble.

WHEREAS, It is confidently believed that a better co-ordination of the terminal, transportation and other facilities of commerce in, about and through the port of New York, will result in great economies, benefiting the Nation, as well as the States of New York and New Jersey; and Preamble.

WHEREAS, The future development of such terminal, transportation and other facilities of commerce will require the expenditure of large sums of money, and the cordial co-operation of the States of New York and New Jersey in the encouragement of the investment of capital, and in the formulation and execution of the necessary physical plans; and Preamble.

WHEREAS, Such result can best be accomplished through the co-operation of the two States by and through a joint or common agency. Preamble.

Now, Therefore, The said States of New Jersey and New York do supplement and amend the existing agreement of 1834 in the following respects: Supplemental agreement.

ARTICLE I. They agree to and pledge, each to the other, faithful co-operation in the future planning and development of the port of New York, holding in high trust for the benefit of the Nation the special blessings and natural advantages thereof. Co-operation.

ARTICLE II. To that end the two States do agree that there shall be created and they do hereby create a district to be known as the "Port of New York District" (for brevity hereinafter referred to as "The District") which shall embrace the territory bounded and described as follows: Legal name.

The District is included within the boundary lines located by connecting points of known latitude and longitude. The approximate courses and distances of the lines enclosing The District are recited in the description, but The District is determined by drawing Boundaries of Port of New York district.

lines through the points of known latitude and longitude. Beginning at a point A of latitude forty-one degrees and four minutes north and longitude seventy-three degrees and fifty-six minutes west, said point being about sixty-five hundredths of a mile west of the westerly bank of the Hudson river and about two and one-tenth miles northwest of the pier at Piermont, in the county of Rockland, State of New York; thence due south one and fifteen hundredths miles more or less to a point B of latitude forty-one degrees and three minutes north and longitude seventy-three degrees and fifty-six minutes west; said point being about one and three-tenths miles northwest of the pier at Piermont, in the county of Rockland, State of New York; thence south fifty-six degrees and thirty-four minutes west six and twenty-six hundredths miles more or less to a point C of latitude forty-one degrees and no minutes north and longitude seventy-four degrees and two minutes west, said point being about seven-tenths of a mile north of the railroad station at Westwood, in the county of Bergen, State of New Jersey; thence south sixty-eight degrees and twenty-four minutes west nine and thirty-seven hundredths miles more or less to a point D of latitude forty degrees and fifty-seven minutes north and longitude seventy-four degrees and twelve minutes west, said point about three miles northwest of the business center of the city of Paterson, in the county of Passaic, State of New Jersey; thence south forty-seven degrees and seventeen minutes west eleven and eighty-seven hundredths miles more or less to a point E of latitude forty degrees and fifty minutes north and longitude seventy-four degrees and twenty-two minutes west, said point being about four and five-tenths miles west of the borough of Caldwell, in the county of Morris, State of New Jersey; thence due south nine and twenty hundredths miles more or less to a point F of latitude forty degrees and forty-two minutes north and longitude seventy-four degrees and twenty-two minutes west, said point being about one- and two-tenths miles southwest of the passenger station of the Delaware, Lackawanna and Western Railroad in the city of Summit, in the county of Union, State of New Jersey; thence south

forty-two degrees and twenty-four minutes west, seven and seventy-eight hundredths miles more or less to a point G of latitude forty degrees and thirty-seven minutes north and longitude seventy-four degrees and twenty-eight minutes west, said point being about two and two-tenths miles west of the business center of the city of Plainfield, in the county of Somerset, State of New Jersey; thence due south twelve and sixty-five hundredths miles more or less on a line passing about one mile west of the business center of the city of New Brunswick to a point H of latitude forty degrees and twenty-six minutes north and longitude seventy-four degrees and twenty-eight minutes west, said point being about four and five-tenths miles southwest of the city of New Brunswick, in the county of Middlesex, State of New Jersey; thence south seventy-seven degrees and forty-two minutes east ten and seventy-nine hundredths miles more or less to a point I of latitude forty degrees and twenty-four minutes north and longitude seventy-four degrees and sixteen minutes west, said point being about two miles southwest of the borough of Matawan, in the county of Middlesex, State of New Jersey; thence due east twenty-five and forty-eight hundredths miles more or less, crossing the county of Monmouth, State of New Jersey, and passing about one and four-tenths miles south of the pier of the Central Railroad of New Jersey at Atlantic Highlands to a point J of latitude forty degrees and twenty-four minutes north and longitude seventy-three degrees and forty-seven minutes west, said point being in the Atlantic ocean; thence north eleven degrees fifty-eight minutes east twenty-one and sixteen hundredths miles more or less to a point K, said point being about five miles east of the passenger station of the Long Island Railroad at Jamaica and about one and three-tenths miles east of the boundary line of the city of New York, in the county of Nassau, State of New York; thence in a northeasterly direction, passing about one-half mile west of New Hyde Park and about one and one-tenth miles east of the shore of Manhasset bay at Port Washington, crossing Long Island sound to a point L, said point being the point of intersection of the boundary line between the States of

New York and Connecticut and the meridian of seventy-three degrees thirty-nine minutes and thirty seconds west longitude, said point being also about a mile northeast of the village of Port Chester; thence northwesterly along the boundary line between the States of New York and Connecticut to a point M, said point being the point of intersection between said boundary line between the States of New York and Connecticut and the parallel of forty-one degrees and four minutes north latitude, said point also being about four and five-tenths miles northeast of the business center of the city of White Plains; thence due west along said parallel, of forty-one degrees and four minutes north latitude, the line passing about two and one-half miles north of the business center of the city of White Plains and crossing the Hudson river to the point A, the place of beginning.

Boundaries  
may be  
changed.

The boundaries of said district may be changed from time to time by the action of the Legislature of either State concurred in by the Legislature of the other.

"Port Au-  
thority.

ARTICLE III. There is hereby created "The Port of New York Authority," (for brevity hereinafter referred to as the "Port Authority"), which shall be a body corporate and politic, having the powers and jurisdiction hereinafter enumerated, and such other and additional powers as shall be conferred upon it by the Legislature of either State concurred in by the Legislature of the other, or by Act or Acts of Congress, as hereinafter provided.

Commission-  
ers.

ARTICLE IV. The Port Authority shall consist of six commissioners—three resident voters from the State of New York, two of whom shall be resident voters of the City of New York, and three resident voters from the State of New Jersey, two of whom shall be resident voters within the New Jersey portion of the district, the New York members to be chosen by the State of New York and the New Jersey members by the State of New Jersey, in the manner and for the terms fixed and determined from time to time by the Legislature of each State respectively, except as herein provided.

Removal  
from office.

Each commissioner may be removed or suspended from office as provided by the law of the State for which he shall be appointed.

ARTICLE V. The Commissioners shall, for the purpose of doing business, constitute a board and may adopt suitable by-laws for its management.

By-laws.

ARTICLE VI. The Port Authority shall constitute a body, both corporate and politic, with full power and authority to purchase, construct, lease and/or operate any terminal or transportation facility within said district; and to make charges for the use thereof; and for any of such purposes to own, hold, lease and/or operate real or personal property, to borrow money and secure the same by bonds or by mortgages upon any property held or to be held by it. No property now or hereafter vested in or held by either State, or by any county, city, borough, village, township or other municipality, shall be taken by the Port Authority, without the authority or consent of such State, county, city, borough, village, township or other municipality, nor shall anything herein impair or invalidate in any way any bonded indebtedness of such State, county, city, borough, village, township or other municipality, nor impair the provisions of law regulating the payment into sinking funds of revenues derived from municipal property, or dedicating the revenues derived from any municipal property to a specific purpose.

Authority.

Borrow money.

Municipal property not taken without consent.

Bonded indebtedness not impaired.

The powers granted in this article shall not be exercised by the Port Authority until the Legislatures of both States shall have approved of a comprehensive plan for the development of the port as hereinafter provided.

Plans first provided.

ARTICLE VII. The Port Authority shall have such additional powers and duties as may hereafter be delegated to or imposed upon it from time to time by the action of the Legislature of either State concurred in by the Legislature of the other. Unless and until otherwise provided, it shall make an annual report to the Legislature of both States, setting forth in detail the operations and transactions conducted by it pursuant to this agreement and any legislation thereunder. The Port Authority shall not pledge the credit of either State except by and with the authority of the Legislature thereof.

Additional powers.

Annual report.

ARTICLE VIII. Unless and until otherwise provided, all laws now or hereafter vesting jurisdiction or control in the Public Service Commission, or the Public Utilities

Laws applicable to public utilities in effect.

Commission, or like body, within each State respectively, shall apply to railroads and to any transportation, terminal or other facility owned, operated, leased or constructed by the Port Authority, with the same force and effect as if such railroad, or transportation, terminal or other facility were owned, leased, operated or constructed by a private corporation.

Powers not  
impaired.

ARTICLE IX. Nothing contained in this agreement shall impair the powers of any municipality to develop or improve port and terminal facilities.

Plans to be  
adopted.

ARTICLE X. The Legislatures of the two States, prior to the signing of this agreement, or thereafter as soon as may be practicable, will adopt a plan or plans for the comprehensive development of the port of New York.

Supplement-  
ary plans.

ARTICLE XI. The Port Authority shall from time to time make plans for the development of said district, supplementary to or amendatory of any plan theretofore adopted, and when such plans are duly approved by the Legislatures of the two States, they shall be binding upon both States with the same force and effect as if incorporated in this agreement.

Recommendations to  
legislatures  
and Congress.

ARTICLE XII. The Port Authority may from time to time make recommendations to the Legislatures of the two States or to the Congress of the United States, based upon study and analysis, for the better conduct of the commerce passing in and through the port of New York, the increase and improvement of transportation and terminal facilities therein, and the more economical and expeditious handling of such commerce.

May petition  
for local im-  
provements.

ARTICLE XIII. The Port Authority may petition any interstate commerce commission (or like body), public service commission, public utilities commission (or like body), or any other federal, municipal, State or local authority, administrative, judicial or legislative, having jurisdiction in the premises, after the adoption of the comprehensive plan as provided for in Article X for the adoption and execution of any physical improvement, change in method, rate of transportation, system of handling freight, warehousing, docking, lightering or transfer of freight, which, in the opinion of the Port Authority, may be designed to improve or better the handling of commerce in and through said district, or

improve terminal and transportation facilities therein. It may intervene in any proceeding affecting the commerce of the port.

ARTICLE XIV. The Port Authority shall elect from its number a chairman, vice chairman, and may appoint such officers and employees as it may require for the performance of its duties, and shall fix and determine their qualifications and duties.

Organization  
of commis-  
sion.

ARTICLE XV. Unless and until the revenues from operations conducted by the Port Authority are adequate to meet all expenditures, the Legislatures of the two States shall appropriate, in equal amounts, annually, for the salaries, office and other administrative expenses, such sum or sums as shall be recommended by the Port Authority and approved by the Governors of the two States, but each State obligates itself hereunder only to the extent of one hundred thousand dollars in any one year.

Appropriation  
for expenses.

ARTICLE XVI. Unless and until otherwise determined by the action of the Legislatures of the two States, no action of the Port Authority shall be binding unless taken at a meeting at which at least two members from each State are present and unless four votes are cast therefor, two from each State. Each State reserves the right hereafter to provide by law for the exercise of a veto power by the Governor thereof over any action of any commissioner appointed therefrom.

When action  
binding.

Veto power.

ARTICLE XVII. Unless and until otherwise determined by the action of the Legislatures of the two States, the Port Authority shall not incur any obligations for salaries, office or other administrative expenses, within the provisions of Article XV, prior to the making of appropriations adequate to meet the same.

Incurring  
obligations.

ARTICLE XVIII. The Port Authority is hereby authorized to make suitable rules and regulations not inconsistent with the Constitution of the United States or of either State, and subject to the exercise of the power of Congress, for the improvement of the conduct of navigation and commerce, which, when concurred in or authorized by the Legislatures of both States, shall be binding and effective upon all persons and corporations affected thereby.

Rules and  
regulations.

Provide penalties.

ARTICLE XIX. The two States shall provide penalties for violations of any order, rule or regulation of the Port Authority, and for the manner of enforcing the same.

Changing boundaries and jurisdiction.

ARTICLE XX. The territorial or boundary lines established by the agreement of 1834, or the jurisdiction of the two States established thereby, shall not be changed except as herein specifically modified.

Right of withdrawal by either State.

ARTICLE XXI. Either State may by its Legislature withdraw from this agreement in the event that a plan for the comprehensive development of the port shall not have been adopted by both States on or prior to July 1, 1923; and when such withdrawal shall have been communicated to the Governor of the other State by the State so withdrawing, this agreement shall be thereby abrogated.

Definitions of sundry terms.

ARTICLE XXII. Definitions.—The following words as herein used shall have the following meaning: "Transportation facility" shall include railroads, steam or electric, motor truck or other street or highway vehicles, tunnels, bridges, boats, ferries, car-floats, lighters, tugs, floating elevators, barges, scows or harbor craft of any kind, aircraft suitable for harbor service, and every kind of transportation facility now in use or hereafter designed for use for the transportation or carriage of persons or property. "Terminal facility" shall include wharves, piers, slips, ferries, docks, dry docks, bulkheads, dock-walls, basins, car-floats, float-bridges, grain or other storage elevators, warehouses, cold storage, tracks, yards, sheds, switches, connections, overhead appliances, and every kind of terminal or storage facility now in use or hereafter designed for use for the handling, storage, loading or unloading of freight at steamship, railroad or freight terminals. "Railroads" shall include railways, extensions thereof, tunnels, subways, bridges, elevated structures, tracks, poles, wires, conduits, power houses, substations, lines for the transmission of power, car-barns, shops, yards, sidings, turn-outs, switches, stations and approaches thereto, cars and motive equipment. "Facility" shall include all works, buildings, structures, appliances and appurtenances necessary and convenient for the proper

construction, equipment, maintenance and operation of such facility or facilities or any one or more of them. "Real Property" shall include land under water, as well as uplands, and all property either now commonly or legally defined as real property or which may hereafter be so defined. "Personal property" shall include choses in action and all other property now commonly or legally defined as personal property or which may hereafter be so defined. "To lease" shall include to rent or to hire. "Rule or regulation," until and unless otherwise determined by the Legislatures of both States, shall mean any rule or regulation not inconsistent with the Constitution of the United States or of either State, and, subject to the exercise of the power of Congress, for the improvement of the conduct of navigation and commerce within the district, and shall include charges, rates, rentals or tolls fixed or established by the Port Authority; and until otherwise determined as aforesaid, shall not include matters relating to harbor or river pollution. Wherever action by the Legislature of either State is herein referred to, it shall mean an act of the Legislature duly adopted in accordance with the provisions of the Constitution of the State.

Plural or singular. The singular wherever used herein shall include the plural. Singular.

Consent, approval or recommendation of municipality—How given. Wherever herein the consent, approval or recommendation of a "municipality" is required, the word "municipality" shall be taken to include any city or incorporated village within the Port District, and in addition in the State of New Jersey any borough, town, township or any municipality governed by an Improvement Commission within the District. Such consent, approval or recommendation whenever required in the case of the City of New York shall be deemed to have been given or made whenever the Board of Estimate and Apportionment of said city or any body hereafter succeeding to its duties shall by majority vote pass a resolution expressing such consent, approval or recommendation; and in the case of any municipality now or hereafter governed by a commission, whenever the commission thereof shall by a majority vote pass "Municipality."  
When consent given.

such a resolution; and in all other cases whenever the body authorized to grant consent to the use of the streets or highways of such municipality shall by a majority vote pass such a resolution.

Agreement  
filed with  
Secretary of  
of State.

2. The said agreement or compact, when signed and sealed by the commissioners of each State as hereinbefore provided, and the Attorney-General of the State of New Jersey, and the Attorney-General of the State of New York, if he be designated so to act by the State of New York, shall become binding upon the State of New Jersey, and shall be filed in the office of the Secretary of State of the State of New Jersey.

Filling va-  
cancies.

3. If by death, resignation or otherwise, a vacancy occurs among those appointed hereunder by the State of New Jersey, the Governor is hereby authorized to fill the same.

Seek assent  
of Congress.

4. The said commissioners, together with the commissioners appointed from the State of New York, shall have power to apply to the Congress of the United States for its consent and approval of the agreement or compact signed by them; but in the absence of such consent of Congress and until the same shall have been secured, the said agreement or compact shall be binding upon the State of New Jersey in all respects permitted by law for the two States of New York and New Jersey without the consent of Congress to co-operate, for the purposes enumerated in said agreement or compact, and in the manner provided therein.

Binding effect  
of agreement.

5. This act shall take effect immediately.

Passed April 7, 1921.

## CHAPTER 152.

An Act appointing commissioners to "The Port Authority" established by the agreement or compact between the States of New York and New Jersey within the "Port of New York District," providing for the transfer of all the maps, plans and other properties in the possession of the commission appointed under chapter 130 of the Laws of 1917, and making an appropriation for the expenses of said commission.

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

1. J. Spencer Smith, Frank R. Ford, and De Witt Van Buskirk, members of the New York, New Jersey Port and Harbor Development Commission, are hereby selected and appointed as commissioner to "The Port Authority" created by the agreement or compact between the States of New York and New Jersey, entered into or about to be entered into under laws passed by the States of New York and New Jersey authorizing such agreement or compact.
 

Commissioners named.

Title of commission.
2. Said commissioners shall hold office for the following terms:
 

Terms of office.

J. Spencer Smith until July first, one thousand nine hundred and twenty-three.

De Witt Van Buskirk until July first, one thousand nine hundred and twenty-four.

Frank R. Ford until July first, one thousand nine hundred and twenty-five.

Each commissioner shall hold office until his successor has been appointed or qualified.
3. At the expiration of the term of each commissioner and of each succeeding commissioner, the Governor shall, by and with the advice and consent of the Senate, appoint a successor, who shall hold office for a term of five years, or until his successor has been appointed and qualified.
 

Appointing successors.

## Vacancies

4. In the event of a vacancy occurring in the office of a commissioner by death, resignation or otherwise, the Governor shall, by and with the advice and consent of the Senate, appoint his successor, who shall hold office for the unexpired term.

5. Any commissioner may be removed upon charges and after hearing by the Senate.

## Powers and duties.

6. The commissioners shall have the powers and duties and be subject to the limitations provided for in the compact or agreement entered into between the two States, and together with three commissioners from the State of New York shall form "The Port Authority."

## Taking over property, maps, records, etc.

7. The commissioners of "The Port Authority" shall receive and take over the furniture, fixtures, books, maps, plans, records, reports, pictures, sketches, films, and other papers and property of what kind soever pertaining or belonging to or in the custody of the members of the commission appointed under chapter 130 of the Laws of 1917 of the State of New Jersey, or in their possession or under their control as such commissioners, or held by them, or for which they are responsible in their official capacity.

## Consideration of joint report.

8. The commissioners of "The Port of Authority" shall take up, study and consider the joint report of the New York-New Jersey Port and Harbor Development Commission, appointed under said chapter 426 of the Laws of 1917 of the State of New York and 130 of the Laws of 1917 of the State of New Jersey, and more especially the recommendations therein contained, shall hold public hearings thereon, shall confer with the governing bodies of all of the municipalities within the port district and all dock, port, channel and improvement commissions and any other bodies having to do with port and harbor facilities, with the Secretary of War, with the appropriate committees of Congress, with the Interstate Commerce Commission, and any and all other Federal authorities having jurisdiction in the premises, and shall, for the purpose of securing advice and information, create an advisory council of representatives of chambers of commerce, boards of trade and other civic bodies within the port district whose charters in-

## Hearings and conferences.

## Advisory council.

clude consideration of the matters embraced in the said joint report. The said commissioners of "The Port Authority" shall also confer with railroad, steamship, warehouse and other officials.

9. The commissioners of "The Port Authority" shall report to the Legislatures of the two States on or before January first, one thousand nine hundred and twenty-two, the results of such study, investigation, hearings and conferences, and shall submit a "Comprehensive Plan for the Development of the Port District," based upon the results of such study, investigation, hearings and conferences, together with their recommendations for such legislation as they deem appropriate for the effectuation and consummation of such plan.

Report to  
Legislature.

Plan for de-  
veloping port.

10. The sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, for the expenses of "The Port Authority." The moneys hereby appropriated shall be paid out by the State Treasurer on the warrant of the Comptroller of the Treasury, upon vouchers signed by the chairman of the said Port Authority.

Appropriation.

Payments.

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

Repealer.

Passed April 7, 1921.

## CHAPTER 153.

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

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

Section 1  
amended.

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

Defrauding  
hotels, etc.,  
deemed dis-  
orderly per-  
son.

1. Any person who shall obtain food, lodging or other accommodation or service at any hotel, inn, boarding or eating house, or culinary establishment, or hospital, with intent to defraud the owner or keeper thereof, shall be deemed and adjudged to be a disorderly person.

Section 2  
amended.

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

Proof of  
fraudulent  
intent.

2. Proof that lodging, food or other accommodation or service were obtained by false pretense, or by false or fictitious show or pretense of any baggage or other property, or that the person refused or neglected to pay for such food, lodging or other accommodation or services on demand, or that he gave in payment for such food, lodging or other accommodation or service negotiable paper on which payment was refused, or that he absconded without paying or offering to pay for such food, lodging or other accommodation or service, or that he surreptitiously removed or attempted to remove his baggage, shall be prima facie proof of the fraudulent intent mentioned in section one of this act.

2. This act shall take effect immediately.

Approved April 7, 1921.

CHAPTER 154.

An Act to amend an act entitled "A supplement to an act entitled 'An act to incorporate trustees of religious societies,' approved April ninth, one thousand eight hundred and seventy-five," which supplement was approved April twenty-first, one thousand eight hundred and eighty-seven.

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

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

1. The board of directors of any Young Men's Christian Association or of any Young Women's Christian Association or of any Young Men's Hebrew Association or of any Young Women's Hebrew Association or of any Young Men's and Young Women's Hebrew Association now existing or hereafter to be incorporated under any law of this State, may elect eight or more persons, of whom, when elected by the board of directors of any Young Men's Christian Association or of any Young Women's Christian Association, no more than one-third shall be members of any one religious denomination, who, with the president of the association for the time being, shall be and constitute a board of trustees of the said association, and shall be a body politic and corporate in law by name of the trustees of the Young Men's Christian Association of . . . . ., Trustees.  
or by name of the trustees of the Young Women's Christian Association of . . . . ., Corporate name.  
or by name of the trustees of the Young Men's Hebrew Association of . . . . .,  
or by name of the trustees of the Young Women's Hebrew Association of . . . . .,  
or by name of the trustees of the Young Men's and Young Women's Hebrew Association of . . . . .,  
as the case may be, the blank to be filled in according to Record filed.

New Jersey State Library

the proper name of the association, upon filing in the office of the clerk of the Court of Common Pleas of the county in which said association is located, a certified copy of the proceedings of said election by the board of directors, and the written acceptance of the said office by the person so elected, signed by their names and acknowledged before any officer authorized to take the acknowledgment of deeds within this State; and it shall be the duty of the clerk of said court to record the same immediately, for which he shall be entitled to receive one dollar.

Section 3  
amended.

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

Succession  
in board of  
trustees.

3. For the purpose of perpetuating a line of succession in the trustees of such association, whenever a vacancy shall occur in such board of trustees, occasioned by the death or resignation of any trustee or his moving out of the limits of the said association, the same shall be filled by a majority vote of the remaining trustees, who, when such election is held by the remaining trustees of any Young Men's Christian Association or of any Young Woman's Christian Association, shall elect to such vacancy some person who shall be a member in good standing of a protestant evangelical church: *provided*, that at no time, in the case of any Young Men's Christian Association or of any Young Women's Christian Association, shall more than one-third of the members of the board of trustees, not including the president of the association, be members of any one religious denomination.

Proviso.

3. This act shall take effect immediately.

Approved April 7, 1921.

## CHAPTER 155.

An Act amending the title and body of an act entitled "An act relating to municipalities governed by a board of commissioners or improvement commission, providing for the election of a president and a commissioner-at-large thereof, and defining their powers and duties, and also regulating the procedure to be observed in passing ordinances and resolutions," approved April twenty-sixth, one thousand nine hundred and six.

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

1. That the title of an act entitled "An act relating to municipalities governed by a board of commissioners or improvement commission, providing for the election of a president and a commissioner-at-large thereof, and defining their powers and duties, and also regulating the procedure to be observed in passing ordinances and resolutions," approved April twenty-sixth, one thousand nine hundred and six, be and the same hereby is amended to read as follows:

"An act relating to municipalities governed by a board of commissioners or improvement commission, and providing for the election of a mayor and a commissioner-at-large thereof, and defining their powers and duties, and also regulating the procedure to be observed in passing ordinances and resolutions."

2. That sections one, two, three, four, five, six, seven, eight and nine of an act entitled "An act relating to municipalities governed by a board of commissioners or improvement commission, providing for the election of a president and a commissioner-at-large thereof, and defining their powers and duties, and also regulating the procedure to be observed in passing ordinances and resolutions," approved April twenty-sixth, one thou-

sand nine hundred and six, be and the same hereby are amended to read as follows:

Additional members of municipal commissions.

Election.

Proviso.

Vacancies.

1. In any municipality containing not less than ten thousand inhabitants, which is governed by a board of commissioners or improvement commission, there shall be two additional members of such board, one of whom shall be designated by the legal voters of such municipality as mayor and the other as member-at-large. They shall be elected by said voters of such municipality at the annual election, and shall serve for a term of two years; *provided*, that the member-at-large chosen at the first election shall serve for one year only. Vacancies occurring from any cause in the office of the mayor, or member-at-large, or commissioner elected from any ward, shall be filled by a majority vote of the remaining members of the board until the first day of January next succeeding. In case such vacancy occurs after the first day of September, and the office becoming vacant is not to be filled at the general election held in such year; or if such vacancy occurs after the general election in any year, and no person has been elected to fill such office from and after the first day of January next succeeding, then in either of such cases such vacancy shall be filled by a majority vote of the remaining members of the board until the first day of January in the second succeeding year. All elections to fill a vacancy, whether held in the year in which such vacancy occurs or in the succeeding year in case the vacancy occurs after September first, shall be for the unexpired term only.

Duties of president of commission

2. The mayor shall be the chief executive officer of the municipality; he shall be vigilant and active in causing the laws and ordinances of the municipality to be executed and enforced; he shall exercise a constant supervision over the conduct of all subordinate officers, and examine into all complaints preferred against them for violation or neglect of duty, and report to the board any dereliction thereof; he shall recommend to the board from time to time such measures as he may deem necessary or expedient for the welfare of the municipality; he shall perform all such duties as may

be required of him by law or ordinance; he shall have all the powers which any justice of the peace or recorder may now or hereafter have, and, for the purpose of quelling any insurrection, riot, disturbance or disorderly assemblage, he shall have control of the police force of the municipality, and he shall from time to time take such measures as he may deem necessary for the preservation of the peace and good order and the enforcement of the laws and ordinances of the municipality.

3. The mayor shall nominate, and, by and with the advice and consent of the board, shall appoint such officers as may be deemed necessary by the board for the proper administration of the public business; said officers shall hold office during the pleasure of the board; *provided*, that no officer shall be removed without the vote of a majority of the whole board and without giving him an opportunity to be heard. Unless sooner removed, however, they shall hold office for one year and until their successors shall have qualified. Whenever a vacancy occurs in any such office, such vacancy shall be filled for the unexpired term by the mayor, by and with the advice and consent of the board.

Assistants.

Proviso.

Terms and vacancies.

4. The mayor shall be the head of the police department. He shall have power to suspend and remove the chief of police, policemen, and any other members of the department, for good cause, which suspension or removal he shall report to the board, but such action shall not be final until confirmed by the board. In case, however, the board shall not ratify any suspension or removal, the officer or member so suspended or removed shall be reinstated.

Head of police department.

5. Whenever there shall be a vacancy in the office of the mayor, the commissioner-at-large shall act as such mayor and possess all his rights and powers during such vacancy; he shall preside at all meetings of the board when the mayor does not preside; he shall have the right to debate and vote on all questions before the board.

If no mayor.

6. The mayor, the commissioner elected at large and the commissioners elected from wards shall con-

Annual meeting of commission.

- stitute the board of commissioners or improvement commission of such municipality, and shall meet on the first day of January in each year, which meeting shall be denominated the annual meeting, and thereafter at such time and place as they may by resolution direct, or as may be appointed by their by-laws, or to which their meetings may be adjourned. Three commissioners and the mayor shall constitute a quorum for the transaction of business, but a smaller number may meet and adjourn from time to time. All meetings shall be presided over by the mayor, except as herein otherwise provided, but he shall not vote, except to give a casting vote in case of a tie; in the absence of the mayor four commissioners shall constitute a quorum. It shall be the duty of the mayor, when necessary, to call special meetings of the board; in case of his neglect or refusal, any four members of the board may call such meeting; notice of special meetings shall be given to all of the commissioners or left at their residence.
- Quorum.**
- Presiding officer.**
- Special meetings.**
- In absence of mayor.**
7. In case of the mayor's absence from the municipality for a period of three days, or in case of his inability to act by reason of sickness or other cause, the commissioner-at-large shall perform all the duties of the mayor during such absence or inability. It shall be the duty of the mayor, in case of his intended continued absence from the municipality for more than three days at any one time, to notify the said commissioner-at-large in writing of such intended absence, whereupon the said commissioner-at-large shall be and become acting mayor from the receipt of such notice, and shall continue to act until the mayor's return.
- Ordinances.**
- Recorded and published.**
8. All ordinances shall be submitted in writing at a regular meeting of the board and passed at a subsequent regular meeting. No ordinance shall be valid until approved by the mayor, or passed over his veto, or unless it is not returned by him with his approval or veto within five days (Sundays excepted) after he receives it, and until it is published. Every ordinance shall be recorded in full by the clerk in a proper book to be kept for that purpose; in every case where such ordinance may come in question, the publication thereof

shall be presumed to have been had until the contrary be shown.

9. Every ordinance passed by the board and every resolution appropriating money, or in any way tending to pecuniarily obligate the municipality (including the fixing of all salaries), and also resolutions auditing or directing the payment of bills or demands, together with such bills, shall, within five days after the passage thereof (Sundays excepted), be presented to the mayor, and the report of the clerk shall be conclusive evidence that such ordinance or resolution has been so presented; if he approves it, he shall, within five days (Sundays excepted) after its receipt by him, sign and file it with the clerk; if not, he shall, within the same time, return the same to the clerk, with his objections thereto in writing, and the board shall, at their next meeting, cause the objections to be entered at length on their minutes and proceed to reconsider the same, and if two-thirds of all the commissioners shall at said meeting, or at any subsequent meeting to which they shall postpone its reconsideration, vote to pass the same over said veto, it shall take effect; if such ordinance or resolution shall not be so returned by the mayor within five days (Sundays excepted) after he receives it, it shall take effect in like manner as if he had signed it; *provided*, that if any such ordinance, resolution or bill shall contain more than one distinct section, clause or item, the mayor may approve one or more thereof and veto the rest.

3. This act shall take effect immediately.

Approved April 7, 1921.

Approval of ordinances and certain resolutions.

If not approved.

Proviso.

## CHAPTER 156.

An Act to relieve the Adjutant-General of this State from certain duties assigned to him and to provide assistance to the Department of New Jersey, Grand Army of the Republic.

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

Adjutant-  
General  
relieved from  
certain duties.

1. That the Adjutant-General of this State be and is hereby relieved of all duties assigned him under an act entitled "An act to make the proceedings of the Department of New Jersey, of the Grand Army of the Republic, a part of the military archives of this State and to provide for the printing of the same," approved March twenty-third, one thousand nine hundred and ten, and also of all duties assigned him under a supplement to aforesaid act, approved April twentieth, one thousand nine hundred and twenty, and that the said act and the supplement thereto be and the same are hereby repealed.

Act repealed.

Appropriation  
to G. A. R.

2. In lieu of the assistance given the Department of New Jersey of the Grand Army of the Republic, under the provisions of the act and the supplement thereto, cited and repealed in section one of this act, the Comptroller of the Treasury of the State of New Jersey is hereby directed to issue annually, upon the first day of May, upon the requisition of the then commander of the said Department of New Jersey of the Grand Army of the Republic, officially countersigned by the then Assistant Adjutant-General of the said Department of New Jersey, and so long as the said Department of New Jersey shall continue to exercise its functions under the charter granted it by the National Encampment of the Grand Army of the Republic, his warrant for the sum of one thousand dollars, to be paid by the Treasurer of the State of New Jersey out of any money, not otherwise appropriated, to the Assistant Quarter-

master-General of the said Department of New Jersey of the Grand Army of the Republic.

3. The commander of the said Department of New Jersey of the Grand Army of the Republic shall furnish the office of the Adjutant-General of this State with twenty bound copies of the proceedings of the annual encampment of the said Department for the archives of the State.

Copies of  
proceedings  
furnished.

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

Approved April 7, 1921.

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#### CHAPTER 157.

A Supplement to an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, constituting chapter 252 of the Laws of 1916, as amended.

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

1. In case any municipality has applied, or shall hereafter apply, revenues derived from the operation of its water supply system to a purpose for which bonds may be issued under the act to which this act is a supplement, such municipality shall have power, within three years thereafter, to replace said revenues so applied, by issuing bonds for the purpose to which said revenues have been applied. Said bonds shall be issued in accordance with the provisions of the act to which this act is a supplement, and shall be subject to all provisions of law applicable to bonds issued pursuant to said act for such purpose. Such municipality shall also have power, within

Bonds may  
be issued.

Laws ap-  
plicable.

Temporary  
bonds.

the said three years, to replace the said revenues by borrowing money and issuing, from time to time, temporary notes or temporary bonds to temporarily finance the purpose to which said revenues have been applied. Such temporary notes or temporary bonds shall be issued in accordance with the provisions of the act to which this act is a supplement, and shall be subject to all provisions of law applicable to such instruments issued pursuant to said act for said purpose, and upon maturity may be funded by bonds issued in pursuance of said act.

Issuance.

2. This act shall take effect immediately.

Approved April 7, 1921.

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#### CHAPTER 158.

A Supplement to an act entitled "An act authorizing the acquisition and maintaining by the State of New Jersey, in conjunction with the State of Pennsylvania, of all toll bridges across the Delaware river, and providing for free travel across the same." approved April first, one thousand nine hundred and twelve, and the acts amendatory thereof and supplementary thereto, providing for an additional appropriation to continue the work of the commission.

Preamble. WHEREAS, Under the provisions of the act to which this act is a supplement the sum of five hundred thousand dollars was appropriated, payable in sums of not exceeding the sum of one hundred thousand dollars in any one year to carry out the provisions of the act to which this act is a supplement; and

Preamble. WHEREAS, The last installment of the sum appropriated under the provisions of the said act will be exhausted with the end of the present fiscal year, and in order to continue to carry out the provisions of said act an additional sum should be appropriated;

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

1. The sum of two hundred thousand dollars shall be paid by the State of New Jersey for and on account of its equal one-half portion or share of the costs in the purchase or condemnation of toll bridges across the Delaware river between the State of New Jersey and the Commonwealth of Pennsylvania under the provisions of the act to which this act is a supplement, provided that no more than one hundred thousand dollars shall be expended for the said purpose each year, and the aforesaid amount or so much thereof as may be necessary is hereby appropriated in the proportions aforesaid out of any moneys in the treasury not otherwise appropriated, when the same shall be included in any annual appropriation bill.

Appropriation for free bridges across Delaware river.

Proviso.

2. This act shall take effect immediately.

Approved April 7, 1921.

#### CHAPTER 159.

An Act to amend an act entitled "An act to amend 'An act to promote home life for dependent children,' approved April ninth, one thousand nine hundred and thirteen," approved April eighth, one thousand nine hundred and fifteen.

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

1. Section three of an act entitled "An act to promote home life for dependent children," approved April ninth, one thousand nine hundred and thirteen, is hereby amended so as to read as follows:

Section 3 amended.

3. A copy of the petition provided for in section two hereof, and a notice of the time and place when it will be presented to the court, must be served on or mailed to the overseer of the poor having jurisdiction over the

Copy of petition and notice served on overseer of the poor.

district wherein the petitioner resides and the Board of Children's Guardians at least ten days before such time.

2. This act shall take effect immediately.

Approved April 7, 1921.

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CHAPTER 160.

An Act to amend an act entitled "An act to amend an act entitled 'An act to enable certain corporations to qualify as trustees, executors, administrators or guardians,' approved April twenty-first, one thousand eight hundred and seventy-six," which amending act was approved April thirteenth, nineteen hundred and fifteen.

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

1. That section one of the above-entitled act be and the same is hereby amended to read as follows:

1. In all cases where any corporation authorized by law and its charter to act as trustee, executor, administrator or guardian, shall be appointed executor, administrator or trustee of any estate or guardian of any infant or lunatic, it shall and may be lawful for the president, vice-president, cashier, treasurer, assistant treasurer, trust officer or assistant trust officer of such corporation to take and subscribe for such corporation any and all oaths or affirmations required to be taken or subscribed by such executor, administrator, trustee or guardian.

2. This act shall take effect immediately.

Approved April 7, 1921.

Section 1  
amended.

Officers  
authorized  
to subscribe  
for such cor-  
poration.

CHAPTER 161.

An Act to amend an act entitled "An act concerning free public libraries, approved April fourteenth, one thousand nine hundred and five," approved February first, one thousand nine hundred and twenty-one.

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

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

Section 14 amended.

14. Any city, town, township, borough, village, or other municipality that shall hereafter accept the provisions of this act or has heretofore established a free public library pursuant to law shall have power to create and issue bonds for the acquiring of lands, the acquiring and erection and improvement of buildings and appliances for library purposes, and the equipment, furnishing of library buildings, such bonds shall be issued in accord and under the provisions of an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and amendments thereof and supplement thereto.

Bond issue for lands, buildings furnishings.

Act under which issued.

2. This act shall take effect immediately.  
Approved April 7, 1921.

## CHAPTER 162.

An Act to prohibit the use of any liquid substance in the preparation for canning or in the canning of tomatoes, except the juice arising from tomatoes themselves after they have been peeled, trimmed, cored and prepared for canning and to prohibit the sale of canned tomatoes which have been prepared or canned contrary to the provisions of this act and providing penalties for violations hereof.

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

Canning  
tomatoes.

1. It shall be unlawful for any person, firm or corporation knowingly to can or prepare in any way at any factory or plant of any kind in this State any tomatoes with which there is used or introduced into the canning any liquid substance of any kind whatever except the juice or juices arising from said tomatoes themselves after they have been peeled, trimmed, cored and prepared for canning as food.

No deception.

2. It shall be unlawful for any person, firm or corporation to can or prepare in any way any goods or vegetable product purporting to be canned tomatoes or having anything on the label or advertised in any way likely to deceive prospective customers into believing that they are canned tomatoes except when prepared in accordance with the provisions of this act.

Sale of goods  
falsely repre-  
sented.

3. It shall be unlawful for any person, firm or corporation knowingly to sell or offer for sale within this State, either retail or wholesale, any canned tomatoes or goods purporting in any way to be canned tomatoes or having anything on the label or advertised in any way likely to deceive prospective customers into believing that they are canned tomatoes if such canned tomatoes have had at any time any liquid substance of any kind whatever introduced into the cans except the juice or juices arising from the tomatoes after they have been

properly peeled, trimmed, cored and prepared for canning as food.

4. Any person, firm or corporation or the agent of any person, firm, corporation or corporations violating the provisions of this act shall be guilty of a misdemeanor. Penalty.

5. This act shall take effect July fourth, one thousand nine hundred and twenty-one. Act effective.

Approved April 7, 1921.

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CHAPTER 163.

An Act to incorporate the "Borough of Basking Ridge",  
in the county of Somerset.

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

1. The inhabitants of that portion of the township of Bernards, in the county of Somerset, 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 Basking Ridge" and shall be governed by the laws of this State relating to boroughs. Corporate name.

2. The territorial limits of said borough shall be as follows:

Beginning at a point in the middle of the Passaic river where the Passaic and Delaware railroad crosses the same at Millington, at the southerly line of the right of way of said railroad; thence (1) following the southerly line of said railroad in a northwesterly direction, to a point in the centre line of the road now or formerly known as the Holmes road, leading in a southwesterly direction to Liberty corner; thence (2) in a southwesterly direction, along the centre line of said road, to a point, the intersection of same with the road leading from Liberty corner to Oak Stump; thence (3) Boundaries of proposed borough.

along last mentioned road, in a northwesterly direction, to a point the intersection of same with the road leading from Mine brook to Oak Stump; thence (4) northwesterly in a straight line to a point in the line of the thirteenth course of the proposed borough of Bernardsville, where the same crosses the line dividing lands of Charles A. Moran and the Bernards township farm; thence (5) in a northeasterly direction and on a straight line to a point at the intersection of the Pill Hill road and Mount Airy road at Oak Stump; thence (6) in a northeasterly direction on a straight line to a point in the centre of a stone bridge over Penn's brook, on the road leading from Blazure's corner to Basking Ridge; thence (7) easterly, following Penn's brook to its junction with a small brook running through lands of H. J. Foskett; thence (8) northerly to a point in the road leading from Blazure's corner to Coffee House, in the line dividing lands of said H. J. Foskett and Heman Childs; thence (9) in a straight line along said division line, crossing the Bernardsville-Morristown road and running through the lands of William Childs to a point in the Old Army road; thence (10) northeasterly, along said Old Army road to a point in line of the westerly side of lands of Samuel S. Childs; thence (11) northwesterly along the westerly side of lands of said Samuel S. Childs to a point in the centre line of a private road running easterly from the old Polo Grounds to Old Army road; thence (12) northeasterly along the centre line of said private road and said Old Army road to a point in the centre line of the road leading southeasterly from Washington's corner to Van Dorn's mill; thence (13) northwesterly along said road to a point in the middle of Indian Grave brook; thence (14) easterly along the middle of Indian Grave brook to a point in the middle of the Passaic river; thence (15) down the middle of the Passaic river, in a general southerly direction to the place of beginning.

Referendum.

3. This act shall not become operative until its provisions shall be submitted to the voters of the above described territory, at a special election to be held within the said territory, and at said election adopted by a majority of the legal voters residing within the said

territory on the day of said special election. Said special election shall be held within the said territory within ninety days (holidays excluded) from the passage of this act, and between the hours of six o'clock A. M. and seven o'clock P. M. of the day fixed for such election and at places within said territory to be fixed by the clerk of the township of Bernards, in the county of Somerset. The clerk of the township of Bernards shall cause public notice of the time and place of holding of the said election, to be given by advertisements, signed by himself, and set up in at least five public places within said described territory, and published in at least one newspaper circulating therein, and published in the township of Bernards at least ten days prior to such election, and the said clerk shall provide for the electors voting at such election, ballots to be printed or written, or partially written and partially printed, upon which ballots shall be printed the proposition to be submitted to the voters, with instructions, in the following form:

Special election.

Notice of election.

Ballots.

If you favor the proposition printed below, make in black ink or black pencil an X mark in the square to the left of and opposite the word "Yes"; if you are opposed thereto, make in black ink or black pencil an X mark in the square to the left of and opposite the word "No."

	Yes.	Shall an act entitled "An act to incorporate the borough of Basking Ridge, in the county of Somerset", be adopted.
	No.	

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "Yes", it shall be counted as a vote in favor of such proposition.

Voting.

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "No", it shall be counted as a vote against such proposition; and in case no X mark shall be made in the square to the left of and opposite the word "Yes" or

"No", it shall not be counted as a vote for or against such proposition.

Election, how conducted.

Such election shall be held at the time and place so appointed, and shall be conducted by the officers of the election district of said township of Bernards, wherein that portion of the foregoing described territory of the township of Bernards is located, but no special form of ballot and no envelope need be used by any voter at said election. The officers holding such election shall within two days after such election make a return to the township committee of the township of Bernards of the result of such election by statements in writing and under their hands, and the same shall be entered at length upon the minutes of the said township committee, and upon its adoption by a majority of said electors as aforesaid, and not otherwise, this act shall in all respects be operative.

Returns.

Registry.

4. The register of voters within said described territory to be used in the conduct of such special election shall be prepared and made up by the board of registry and election of the said township of Bernards which conducted the general election next preceding the holding of such election in said township in the election district or districts of said township of Bernards wherein that portion of the foregoing described territory of the township of Bernards is located, the territory of which most nearly corresponds in extent to the limits of the foregoing described territory; *provided*, that said list, for the purpose of this election, shall be revised so as to include all and only such voters of said township who may then reside within the territory comprised within the limits of the borough created by this act; and for that purpose the said board shall meet at such place within said described territory and at such time as shall be designated by the clerk of the township of Bernards at least one week preceding said special election. Notice of the time and place so designated for such meeting shall be given by the clerk of the township of Bernards by posting notices thereof in at least five of the most public places in said described territory at least five days prior to said meeting. Said meeting of the board of registry and election for the making up of said new

Proviso.

Notice of registration.

Meeting.

register of voters shall begin at one o'clock in the afternoon and continue until nine o'clock on the evening of the day fixed for that purpose, and said board shall insert in said new register the names of all persons who are legal voters within said territory at the time of the passage of this act, and who shall appear in person before them and establish to the satisfaction of the majority of said board that they are entitled to vote at said special election by reason of being inhabitants and citizens residing in said territory at the time of the passage hereof, or who shall be sworn by the written affidavit of a voter residing in said 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 of said register shall be mailed to the chairman of the county board of election of Somerset county, to be filed by said board, and one copy shall be retained for the use of said township board of election at such special election.

Affidavits.

5. Immediately after the statement of the result of such election shall be made to the township committee of the said township of Bernards, another copy of said statement, certified by the clerk of the township of Bernards, shall be filed by him in the office of the county clerk of the county of Somerset.

Result of election filed.

6. Within ten days after a copy of the statement of said election has been filed with the county clerk of the county of Somerset, and in case it is shown by said statement that this act has been adopted by the voters of said territory as aforesaid, the said county clerk shall call another special election, to be held within said territory, within thirty days from the date of the filing of the said statement in his office, for the purpose of electing a mayor, six councilmen, an assessor, a collector and such other officers as provided for by law, to hold office until the first day of January following said special election, which election shall be held between the hours of six o'clock A. M. and seven o'clock P. M. on a day and at a place within said territory, to be fixed by said county clerk; and of the time, place and purpose of said special election said county clerk shall give public

Special election for electing borough officers.

notice by advertisements, signed by himself, and set up in at least five public places within said territory, and published in at least one newspaper circulating therein, at least five days prior to such election. Said county clerk shall provide for the electors voting at such election ballots, to be printed or written, or partly printed and partly written, on which shall appear the names of all candidates for said offices who shall have been nominated by petition of at least five voters residing within said territory and appearing on the said election register used at the special election held for the adoption of this act. Petitions making nominations for any of said offices shall be filed with the said county clerk within twenty days from the date of the filing with said county clerk of the statement showing the adoption of this act and at least three days prior to said election. Such election shall be held at the time and place so appointed by said county clerk, and shall be conducted by the said officers of the said election district of the said township of Bernards, but no special form of ballot and no envelope need be used by any voter at said election. The register of voters to be used at said election shall be the same as that used at the special election provided for in sections three and four hereof. The officers holding said election shall make return thereof to the county clerk of the county of Somerset of the result of such election, and the officers elected at said election, on the filing of said return, shall be and become the officers of the said borough and shall continue in office until the first day of January following said special election and until other officers have been elected by the voters of said borough, and shall have qualified as required by law.

Ballots.

Nominations.

Holding election.

Register used.

Returns.

Term of officers.

7. This act shall take effect immediately.

Approved April 7, 1921.

## CHAPTER 164.

A Supplement to an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness, by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen.

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

1. Any bonds heretofore or hereafter issued by any county, for the payment or retirement of which part of the county's allotment of the motor vehicle fund may be permitted to be applied by the State Highway Commission, shall be deducted in any annual or supplemental debt statement filed pursuant to the act to which this is a supplement; *provided*, that bonds heretofore issued shall be deducted only if and to the extent that the portion of said allotment authorized to be so applied in the fiscal year next preceding the filing of such statement would be sufficient, if applied annually, to pay the interest and retire the principal of said bonds within ten years from their issuance; *further provided*, that such bonds hereafter issued shall be deducted when issued and in the future years thereafter if and to the extent that the portion of every said allotment so permitted to be so applied in the fiscal year of their issuance would be sufficient, if applied annually, to pay the interest and retire the principal of all such bonds whether heretofore or hereafter issued within ten years from their issuance; *further provided*, that the total amount of bonds so deducted shall not at any one time exceed one per centum of the average assessed valuation of the taxable real property of said county as ascertained in said statement.

Amount of  
bonds de-  
ducted from  
debt state-  
ment.

Proviso.

Proviso.

Proviso.

2. It shall be lawful for any county to make and file at any time during any year a revision of its last annual

Revision  
of debt  
statement.

debt statement as of the thirty-first of December of the preceding year, in order to make the deduction authorized by section one hereof or to correct any error or omission therein.

3. This act shall take effect immediately.

Approved April 7, 1921.

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CHAPTER 165.

An Act to fix the minimum salary of prosecutors of the pleas in certain counties of the third class.

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

Salary of  
prosecutors,  
in third class  
counties.

Proviso.

Repealer.

1. In all counties of the third class of this State the population of which as ascertained by the last preceding Federal census is more than forty thousand and less than fifty thousand, such prosecutors of the pleas shall receive an annual salary of at least three thousand dollars, to be paid in each case by equal monthly payments by the county collector of such county; *provided, however,* that nothing in this act shall apply to counties bordering on the Atlantic ocean, nor shall it apply to any county the population of which did not exceed forty-four thousand as ascertained by the last preceding State census.

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 April 7, 1921.

## CHAPTER 166.

A Supplement to an act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof," approved May twenty-second, one thousand eight hundred and ninety-four.

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

1. The clerk of every court wherein any person, now or hereafter licensed to practice medicine and surgery in this State, shall be convicted of a crime shall make a report thereof in writing to the State Board of Medical Examiners of New Jersey of such conviction upon blanks provided by said board, and such report shall state the name and address of such person so convicted, the date thereof, the nature of the crime of which said person was convicted and the sentence imposed by the court.

Report conviction of physicians.

2. This act shall take effect immediately.

Approved April 7, 1921.

## CHAPTER 167.

An Act to amend an act entitled "An act relative to the Supreme and Circuit Courts" (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 fifteen of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows:

Section 15 amended.

Sergeants-at-arms.

15. The justices of the Supreme Court are hereby authorized to appoint two suitable persons as sergeants-at-arms and criers of said court, to hold their offices during the pleasure of said court, whose duty it shall be to attend said court during the several terms thereof, for which service they shall receive a salary to be fixed by the court, to be paid by the Treasurer, on warrant of the Comptroller, in equal monthly payments, in full compensation for all services rendered, and said compensation shall be in lieu of all fees now provided for or allowed by law.

Salary.

2. This act shall take effect immediately.

Approved April 7, 1921.

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CHAPTER 168.

An Act to incorporate the borough of Lakehurst, in the county of Ocean.

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 Manchester, in the county of Ocean, 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 Lakehurst, and shall be governed by the general laws of this State relating to boroughs.

Boundaries of proposed borough.

2. The territorial limits of said borough shall be as follows:

Beginning at the point where the Paqua stream discharges into Horicon stream (or South branch of Toms river), and thence following the course of said Paqua stream, in a westerly direction to a point on a line with Division street, as laid down on the Map of Elizabeth C. Torrey, entitled a "Map of the westerly half of the Village of Manchester," and filed at the office of the county clerk at Toms River; thence (2) in a southerly direction, along the line of said Division street to

Black's bridge; thence (3) in westerly direction along the Main County road from Lakehurst to Brown's Mill, to the "Path around the lake"; thence (4) following said path around the lake in a general southerly direction and crossing "Kissing bridge," to Schultze's bogs; thence (5) following the road on the south side of Horicon lake, in an easterly direction to the big flood-gates; thence (6) following the course of the aforementioned Horicon stream (or South branch of Toms river), in a general easterly and northeasterly direction to the point where Paqua stream discharges into said Horicon stream, being the place of beginning.

3. This act shall take effect immediately; *provided*, it shall not operate to effect the incorporation of the inhabitants of the above-described territory as a borough of this State until it shall have been adopted by a vote of a majority of the legal voters of the said described territory, voting thereon at a special election to be held within the said territory within sixty days from the approval of this act, at which special election shall be submitted the question of the approval or disapproval of this act; such special election shall be held within the said territory between the hours of six o'clock A. M. and six o'clock P. M. of a day and at a place within the said territory to be fixed by the clerk of the township of Manchester, in the county of Ocean, who shall cause public notice thereof to be given by advertisement signed by himself, set up in at least five public places within said described territory, and published once in one newspaper circulating therein at least ten days prior to the day so fixed for such election.

4. Such special election shall be held at the time and place so appointed and shall be conducted by the board of registry and election of the township of Manchester, which conducted the general election next preceding the holding of such election in said township, and shall be by ballot. The registry of voters used at the last general election in said township shall be used at said special election, and the said board of registry and election shall meet one week next preceding the day fixed for said special election at the place where the same is to be held from one o'clock P. M. to nine o'clock P. M.,

Referendum.

Special election called.

Election how conducted.

Registry.

Notice for registration.

Ballots.

for the purpose of revising and correcting the registry lists in the manner provided under the general election laws of this State. The clerk of the township of Manchester shall give public notice of such meeting of said board of registry and election at the time and in the manner hereinbefore provided for the giving of the notice of the time and place of holding of said special election and shall provide a suitable place for the holding of said special election and the necessary ballots for the electors voting thereat, upon which ballot shall be printed the proposition to be submitted to the voters, with instructions in the following form:

If you favor the proposition printed below, make an X mark in the square to the left of and opposite the word "Yes"; if you are opposed thereto make an X mark in the square to the left of and opposite the word "No."

	Yes.	Shall an act entitled "An act to incorporate the borough of Lakehurst, in the county of Ocean," be adopted?
	No.	

Voting.

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "Yes," it shall be counted as a vote in favor of such proposition.

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "No," it shall be counted as a vote against such proposition; and in case no mark shall be made in the square to the left of and opposite the word "Yes," or "No," it shall not be counted as a vote for or against such proposition.

Result of election filed.

5. The officers holding said election shall, within two days after such election, make a return in duplicate of the result of such election by statements in writing and under their hands; one of which certificates or returns shall be filed forthwith with the clerk of the township of Manchester and entered in full upon the minutes of the township committee of the township of Manchester,

and one of which certificates or returns shall be filed forthwith with the clerk of the county of Ocean.

Approved April 7, 1921.

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CHAPTER 169.

An Act authorizing the park commissioners in cities of the second class of this State to set apart a certain portion of any public park for athletic purposes, to be used by the public school children under the direction of the local board of education.

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

1. The park commissioners in any second class city of this State are hereby authorized to set apart a portion of any public park in said city for athletic purposes to be used by the public school children in said city under the direction of the local board of education in said city, provided that not more than one-third of the space in any such public park shall be so set apart. Athletic field in parks.

2. Such portion of any public park so set apart shall be subject to the direction and rules and regulations laid down by the local board of public education as to the time and manner in which the same shall be used, provided that said park commissioners, in so setting apart a portion of any public park in any such city, may impose certain regulations in addition to the regulations to be made in relation to the use thereof by the local board of education of such city. Regulations. Proviso.

3. This act shall take effect immediately.

Approved April 7, 1921.

## CHAPTER 170.

An Act to provide for the payment of current legislative printing and making an appropriation therefor.

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

Appropriation  
for legislative  
printing.

1. There is hereby appropriated the sum of fifty thousand dollars, or so much thereof as may be necessary, for the payment of legislative printing for the session of one thousand nine hundred and twenty-one. Payment for legislative printing shall be made by the State Treasurer, upon the warrant of the Comptroller, in the same manner as other State moneys are now disbursed.

2. This act shall take effect immediately.

Approved April 7, 1921.

## CHAPTER 171.

An Act to incorporate the borough of Far Hills, in the county of Somerset.

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 Bernards, in the county of Somerset, 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 Far Hills, and as such shall be governed by the general laws of the State relating to boroughs.

2. The territorial limits of said borough shall be as follows:

Boundaries  
of borough of  
Far Hills.

All that territory situate in the township of Bernards, county of Somerset and State of New Jersey, beginning

at a point in the center of the north branch of the Raritan river, said point being about in the center of the bridge crossing the same situated between the towns of Far Hills and Bedminster, being on the dividing line between the townships of Bernards and Bedminster on State highway, route No. 16, running east and west at this point; thence in a northerly direction following the center line of said north branch of the Raritan river, crossing the Somerset county road running between Far Hills and Peapack to a point in the center of said river, this point being at the center of an iron bridge of the Delaware, Lackawanna and Western Railroad Company, Passaic and Delaware branch, also being a corner of the borough of Peapack and Gladstone; thence in a northerly direction and running along the line of the borough of Peapack and Gladstone, following the center line of said river, crossing, at the old stone arch bridge, the public road running from what is (formerly) known as Hub Hollow to Peapack, to a point on the large ravine dam of the Somerset Hills Association, said point being a little to the west of the center of said dam and being on line of the said borough of Peapack and Gladstone; thence in a northerly direction along line of the said borough of Peapack and Gladstone following the old river bed through the Ravine lake crossing, at a concrete bridge near the old Smith picnic grounds, the public road running from Mine Mount to Peapack; thence in a northerly direction along line of said borough of Peapack and Gladstone following the center line of the said river to a point which is to the northeast of a large bend in said river and on property of Arthur Turnbull; thence leaving said river and the said line of said borough of Peapack and Gladstone and running in a southeasterly direction on a straight line, crossing the said public road leading from Peapack and the Ravine lake to Mine Mount, and passing to the west of the residence of Percy R. Pyne and to the east of the residence of Grafton Pyne, to a point near C. B. Mitchell's cottage, where the center lines of the roads leading from Ravine lake and Far Hills to Mine Mount intersect; thence running in a southerly direction, along the center

line of the road leading from said intersection to Far Hills, to a point in an angle of said road south of the residence of Thomas Douglass; thence leaving said road and running in a southerly direction on a straight line, passing to the west of the residence of William H. Page, to a point in the center of the State highway, route No. 16, running between Far Hills and Bernardsville; thence in a southeasterly direction on a straight line crossing Mine brook and the Passaic and Delaware branch of the Delaware, Lackawanna and Western Railroad to a point where the private drive of the G. B. Schley estate and the center line of the road leading from Mine brook to Liberty Corner intersect; thence in a southeasterly direction following the center line of said last mentioned road to a point where it intersects the center line of the road which crosses the north branch of the Raritan river at the first bridge south of Bedminster, thence along center of said road in a westerly direction to the intersection with the Bedminster township line, thence in a northwesterly direction along the charter line of said Bedminster township, to a point in the center of said north branch of the Raritan river where the lines of the townships of Bedminster and Bernards intersect; thence in a northerly direction up the center line of said river, being the dividing line between the townships of Bedminster and Bernards, to the place of beginning.

Be and the same is hereby set off from the township of Bernards and which portion so set off from the township of Bernards shall hereafter be called and known as the Borough of Far Hills, in said county.

Referendum.

3. This act shall take effect immediately; *provided*, it shall not operate to affect the incorporation of the inhabitants of the above described territory as a borough of this State until its provisions shall be submitted to the voters of the said described territory at a special election to be held within the said territory, and at said election adopted by a majority of the legal voters residing within the said territory on the day of said special election. Said special election shall be held within the said territory within sixty days from the

Special election.

passage of this act, and between the hours of six o'clock A. M. and seven o'clock P. M. of the day fixed for such election, and at a place within said territory, which place and day are to be fixed by the clerk of the township of Bernards, in the county of Somerset. The clerk of the township of Bernards shall cause public notice of the time and place of the holding of the said election to be given by advertisement, signed by himself, and set up in at least five public places within said described territory, and published in at least one newspaper circulating therein, at least ten days prior to such election, and the said clerk shall provide for the electors voting at such election ballots, to be printed or written, or partially written and partially printed, upon which ballots shall be printed the proposition to be submitted to the voters, with instructions, in the following form:

Notice of election.

Ballots.

If you favor the proposition printed below, make an X mark in the square to the left of and opposite the word "Yes"; if you are opposed thereto, make an X mark in the square to the left and opposite the word "No".

	Yes.	Shall an act entitled "An act to incorporate the Borough of Far Hills, in the county of Somerset." be adopted?
	No.	

If the voter make an X mark in black ink or black pencil in the square to the left of and opposite the word "Yes", it shall be counted as a vote in favor of such proposition.

Voting.

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "No", it shall be counted as a vote against such proposition; and in case no mark shall be made in the square to the left of and opposite the word "Yes" or "No", it shall not be counted as a vote for or against such proposition.

Such election shall be held at the time and place so appointed, and shall be conducted by the members of the district board of registry and election of that

Election, how conducted.

Returns. certain election district of the said township of Bernards wherein the greater portion or all of the foregoing described territory of the township of Bernards is located, but no special form of ballot and no envelope need be used by any voter at said election. The members of the said district board of registry and election holding such election shall, within two days after such election, make return to the township committee of the township of Bernards, of the result of such election by statements in writing and under their hands, and the same shall be entered at length upon the minutes of the said township committee, and thereupon and upon such adoption by a majority of said electors as aforesaid, and not otherwise, this act shall be in all respects operative.

Registry. 4. The register of voters within said described territory to be used in the conduct of such special election shall be prepared and made up by the members of that district board of registry and election of the said township of Bernards who conducted the general election next preceding the holding of such special election in said township in that certain election district of the township of Bernards wherein the greater portion or all of the foregoing described territory of the township of Bernards is located, and for that purpose the said board shall meet at such place within said described territory and at such time as shall be designated by the clerk of the township of Bernards at least one week preceding said special election. Notice of the time and place so designated for such meeting shall be given by the clerk of the township of Bernards by posting notices thereof in at least five of the most public places in said described territory, at least five days prior to said meeting. Said meeting of the said district board of registry and election for the making up of said new registry of voters shall begin at one o'clock in the afternoon and continue until nine o'clock in the evening of the day fixed for that purpose, and said board shall insert in said new register the names of all persons who are legal voters within said territory at the time of the passage of this act, and who shall appear in person before them and establish to the satisfaction of the majority of

Notice of meeting to register.

said board that they are entitled to vote at said special election by reason of being inhabitants and citizens residing in said territory at the time of the passage hereof, or who shall be sworn by the written affidavit of a voter residing in said territory to be entitled so to vote. A separate affidavit shall be required for each person so registered by affidavit, which shall contain the address of the affiant and shall be signed by him. On the following day one copy of said register shall be mailed to the chairman of the county board of election in Somerset county, to be filed by said board, and one copy shall be retained for the use of said township board of election at such special election.

Affidavits.

5. Immediately after the statement of the result of such election shall be made to the township committee of said township of Bernards, another copy of said statement, certified by the clerk of the township of Bernards, shall be filed by him in the office of the county clerk of the county of Somerset.

Result of election.

6. Within ten days after a copy of the statement of said election has been filed with the county clerk of the county of Somerset, and in case it is shown by said statement that this act has been adopted by the voters of said territory as aforesaid, the said county clerk shall call another special election, to be held within said territory, within thirty days from the date of the filing of the said statement in his office, for the purpose of electing a mayor, six councilmen and an assessor, a collector and one justice of the peace, to hold office until the first day of January following said special election, which election shall be held between the hours of six o'clock A. M. and seven o'clock P. M., on a day and place within said territory, to be fixed by said county clerk; and of the time and place and purpose of said special election said county clerk shall give public notice by advertisements, signed by himself, and set up in at least five public places within said territory, and published in at least one newspaper circulating therein, at least five days prior to such election. Said county clerk shall provide for the electors voting at such election, ballots, to be printed or written, or partly printed and partly written, on which shall

Special election for officers of borough.

Ballots.

appear the names of all candidates for said offices who shall have been nominated by petition of at least five voters residing within said territory and appearing on the said election register used at the special election held for the adoption of this act. Petitions making nominations for any of said offices shall be filed with the said county clerk within twenty days from the date of the filing with said county clerk of the statement showing the adoption of this act and at least three days prior to said election. Such election shall be held at the time and place so appointed by said county clerk, and shall be conducted by the members of the district board of registry and election of that certain election district of the said township of Bernards wherein the greater portion or all of the foregoing described territory of the township of Bernards is located, but no special form of ballot and no envelope need be used by any voter at said election. The register of voters to be used at said election shall be the same as that used at the special election provided for in sections three and four hereof. The said district board of registry and election holding said election shall on the following day make return thereof to the county clerk of the county of Somerset of the result of such election, and the officers elected at said election, on the filing of said return, shall be and become the officers of the said borough, and shall continue in office until the first day of January following said special election and until other officers have been elected by the voters of said borough, and shall have qualified as required by law.

Petitions  
for nomina-  
tions.

Conducting  
election.

Register to  
be used.

Returns.

Terms of  
office.

Approved April 7, 1921.

## CHAPTER 172.

An Act to incorporate the "Borough of Bernardsville,"  
in the county of Somerset.

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

1. The inhabitants of that portion of the township of Bernards, in the county of Somerset, 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 Bernardsville," and shall be governed by the general laws of this State relating to boroughs. Corporate name.

2. The territorial limits of said borough shall be as follows:

Beginning at a point in the center of a stone bridge over Penn's brook on the county road leading from Blazure's corner to Basking Ridge, situated about one-quarter of a mile southeast of Blazure's corner; thence (1) easterly following Penn's brook to its junction with a small brook running through lands of H. J. Foskett; thence (2) northerly to a point in the road leading from Blazure's corner to Coffee House, in the line dividing lands of the said H. J. Foskett and Heman Childs; thence (3) in a straight line along said division line crossing the Bernardsville-Morristown road and running through lands of William Childs to a point in the Old Army road; thence (4) northeasterly along said Old Army road to a point in line of the westerly side of lands of Samuel S. Childs; thence (5) northwesterly along the westerly side of lands of said Samuel S. Childs to a point in the center line of a private road running easterly from the old Polo grounds to the Old Army road; thence (6) northeasterly along the center line of said private road and said Old Army road to a point in the center line of the road leading southeasterly from Washington's corner to Van Dorn's mill; thence Boundaries of borough of Bernardsville.

(7) northwesterly along said road to a point in the middle of Indian Grave brook; thence (8) easterly along the middle of Indian Grave brook to a point in the middle of the Passaic river; thence (9) up the center line of the Passaic river, said river being the dividing line between the counties of Morris and Somerset, to a point just east of what is known as the Jockey Hollow road, leading north to Washington corner, said point being the northeasterly corner of the county of Somerset; thence (10) in a southwesterly direction and on a straight line following the dividing line between the counties of Morris and Somerset to a point in the center of the north branch of the Raritan river, said point being a corner of the borough of Peapack and Gladstone, and the northwest corner of the present township of Bernards; thence (11) in a southwesterly direction along the lines of the borough of Peapack and Gladstone and the center line of the north branch of the Raritan river to a point about one-quarter of a mile northeast of a decided bend in said river, said point being on lines of the borough of Peapack and Gladstone and being also the most northerly corner of the proposed borough of Far Hills; thence (12) leaving the said river and the said borough of Peapack and Gladstone lines and running in a southeasterly direction on a straight line crossing the public road leading from Peapack and the Ravine lake to Mine Mount, the said line passes to the west of the residence of Percy R. Pyne and to the east of the residence of Grafton Pyne to a point near C. B. Mitchell's cottage, where the roads leading from the Ravine lake and Far Hills to Mine Mount intersect; thence (13) running in a southerly direction along the center line of the road leading from the last-mentioned intersection to Far Hills, to a point in an angle of said road south of the residence of Thomas Douglass; thence (14) in a southerly direction and on a straight line passing to the west of the residence of William H. Page to a point in the center of the State Highway, Route No. 16, running between Far Hills and Bernardsville; thence (15) in a southeasterly direction on a straight line crossing Mine brook to a point in the center of the Passaic and Delaware branch of the D., L. and W. R.

R. Co. (courses 12, 13, 14 and 15 run along the boundary line of the proposed borough of Far Hills); thence (16) in a northeasterly direction following the centre line of the aforesaid railroad, to a point where the road leading from Mine brook to Liberty corner intersects the same near the Mine Brook depot; thence (17) in a northeasterly direction and on a straight line to a point at the intersection of the Pill Hill road and the Mount Airy road at Oak Stump; thence (18) in a northeasterly direction on a straight line to the place of beginning.

3. This act shall not become operative until its provisions shall be submitted to the voters of the above-described territory at a special election to be held within the said territory, and at said election adopted by a majority of the legal voters residing within the said territory on the day of said special election. Said special election shall be held within the said territory within ninety days from the passage of this act, and between the hours of six o'clock A. M. and seven o'clock P. M. of the day fixed for such election and at places within said territory to be fixed by the clerk of the township of Bernards, in the county of Somerset. The clerk of the township of Bernards shall cause public notice of the time and place of the holding of the said election, to be given by advertisements, signed by himself, and set up in at least five public places within said described territory, and published in at least one newspaper circulating therein, at least ten days prior to such election, and the said clerk shall provide for the electors voting at such election, ballots to be printed or written, or partially written and partially printed, upon which ballots shall be printed the proposition to be submitted to the voters, with instructions, in the following form:

If you favor the proposition printed below, make an X mark in the square to the left of and opposite the word "Yes"; if you are opposed thereto, make an X mark in the square to the left of and opposite the word "No."

Referendum.

Special election.

Notice of election.

Ballots.

	Yes.	Shall an act entitled "An act to incorporate the borough of Bernardsville, in the county of Somerset," be adopted.
	No.	

**Voting.**

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "Yes," it shall be counted as a vote in favor of such proposition.

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "No," it shall be counted as a vote against such proposition; and in case no mark shall be made in the square to the left of and opposite the word "Yes" or "No," it shall not be counted as a vote for or against such proposition.

**Election, how conducted.**

Such election shall be held at the time and place or places so appointed, and shall be conducted by the officers of the election district of said township of Bernards whose territory most nearly corresponds in extent to the limits of the said territory above described, and which conducted the general election next preceding the holding of such election in said district, but no special form of ballot and no envelope need be used by any voter at said election. The officers holding such election shall within two days after such election make a return to the township committee of the township of Bernards of the result of such election by statements in writing and under their hands, and the same shall be entered at length upon the minutes of the said township committee, and upon its adoption by a majority of said electors, as aforesaid, and not otherwise, this act shall in all respects be operative.

**Returns.****Registry.**

4. The register of voters within said described territory to be used in the conduct of such special election shall be prepared and made up by the board of registry and election of the said township of Bernards which conducted the general election next preceding the holding of such election in said township in the election district of said township of Bernards whose territory most

nearly corresponds in extent to the limits of the foregoing described territory; *provided*, that said list, for the purpose of this election, shall be revised so as to include all and only such voters of said township who may then reside within the territory comprised within the limits of the borough created by this act; and for that purpose the said board shall meet at such place or places within said described territory and at such time as shall be designated by the clerk of the township of Bernards at least one week preceding said special election. Notice of the time and place so designated for such meeting shall be given by the clerk of the township of Bernards by posting notices thereof in at least five of the most public places in said described territory at least five days prior to said meeting. Said meeting of the board of registry and election for the making up of said new register of voters shall begin at one o'clock in the afternoon and continue until nine o'clock on the evening of the day fixed for that purpose, and said board shall insert in said new register the names of all persons who are legal voters within said territory at the time of the passage of this act and who shall appear in person before them and establish to the satisfaction of the majority of said board that they are entitled to vote at said special election by reason of being inhabitants and citizens residing in said territory at the time of the passage hereof, or who shall be sworn by the written affidavit of a voter residing in said 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 of said register shall be mailed to the chairman of the county board of elections of Somerset county, to be filed by said board, and one copy shall be retained for the use of said township board of election at such special election.

Proviso.

Notice of meeting to register.

Affidavits.

5. Immediately after the statement of the result of such election shall be made to the township committee of the said township of Bernards, another copy of said statement, certified by the clerk of the township of Bernards, shall be filed by him in the office of the county clerk of the county of Somerset.

Result of election.

Special elec-  
tion for bor-  
ough officials.

6. Within ten days after a copy of the statement of said election has been filed with the county clerk of the county of Somerset, and in case it is shown by said statement that this act has been adopted by the voters of said territory as aforesaid, the said county clerk shall call another special election, to be held within said territory, within thirty days from the date of the filing of the said statement in his office, for the purpose of electing a mayor, six councilmen, and such other officers as are required or permitted to be elected by law, to hold office until the first day of January following said special election, which election shall be held between the hours of six o'clock A. M. and seven o'clock P. M. on a day and at a place within said territory, to be fixed by said county clerk; and of the time, place and purpose of said special election said county clerk shall give public notice by advertisements, signed by himself, and set up in at least five public places within said territory, and published in at least one newspaper circulating therein, at least five days prior to such election. Said county clerk shall provide for the electors voting at such election ballots, to be printed or written, or partly printed and partly written, on which shall appear the names of all candidates for said offices who shall have been nominated by petition of at least five voters residing within said territory and appearing on the said election register used at the special election held for the adoption of this act. Petitions making nominations for any of said offices shall be filed with the said county clerk within twenty days from the date of the filing with said county clerk of the statement showing the adoption of this act and at least three days prior to said election. Such election shall be held at the time and place or places, so appointed by the said county clerk, and shall be conducted by the said officers of the said election district of the said township of Bernards whose territory most nearly corresponds in extent to the limits of said territory above described, but no special form of ballot and no envelope need be used by any voter at said election. The register of voters to be used at said election shall be the same as that used at the special election provided for in sections three and four hereof. The officers holding

Ballots.

Nominating  
petitions.

Conducting  
election.

Register to  
be used.

Returns.

said election shall make return thereof to the county clerk of the county of Somerset of the result of such election, and the officers elected at said election, on the filing of said return, shall be and become the officers of the said borough and shall continue in office until the first day of January following said special election, and until other officers have been elected by the voters of said borough, and shall have qualified as required by law.

Terms of officer.

7. This act shall take effect immediately.

Approved April 7, 1921.

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### CHAPTER 173.

An Act authorizing the governing body of any town in this State to pay a bonus to the employees of its police department.

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

1. The governing body of any town in this State is hereby authorized and empowered to pay a bonus to the employees of its police department; *provided, however,* that such bonus shall not exceed thirty per centum of the present salary of any such employee to whom the same is paid. The governing body of any such town shall provide by ordinance or resolution for the payment of such bonus.

Bonus to police.

Proviso.

2. This act shall take effect immediately.

Approved April 7, 1921.

## CHAPTER 174.

An Act to amend "An act to amend an act entitled 'An act to protect all citizens in their civil and legal rights,' approved May tenth, one thousand eight hundred and eighty-four," which amendment was approved March twenty-third, one thousand nine hundred and seventeen.

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

Section 1  
amended.

I. Section one of "An act to amend an act entitled 'An act to protect all citizens in their civil and legal rights,' approved May tenth, one thousand eight hundred and eighty-four," which amendment was approved March twenty-third, one thousand nine hundred and seventeen, be and the same is hereby amended so as to read as follows:

Equal privi-  
leges within  
the State.

I. All persons within the jurisdiction of the State of New Jersey shall be entitled to the full and equal accommodations, advantages, facilities and privileges of any places of public accommodations, resort or amusement, subject only to the conditions and limitations established by law and applicable alike to all persons. No person, being the owner, lessee, proprietor, manager, superintendent, agent or employee of any such place shall directly or indirectly refuse, withhold from or deny to any person any of the accommodations, advantages, facilities or privileges thereof, or directly or indirectly publish, circulate, issue, display, post, or mail any written or printed communication, notice or advertisement to the effect that any of the accommodations, advantages, facilities and privileges of any such place shall be refused, withheld from or denied to any person on account of race, creed or color, or that the patronage or custom thereof of any person belonging to or purporting to be of any particular race, creed or color is unwelcome, objectionable or not acceptable, desired

Withholding  
privilege or  
giving notice  
to, unlawful.

or solicited. The production of any such written or printed communication, notice or advertisement, purporting to relate to any such place and to be made by any person being the owner, lessee, proprietor, superintendent or manager thereof, shall be presumptive evidence in any civil or criminal action that the same was authorized by such person. A place of public accommodation, resort or amusement within the meaning of this act shall be deemed to include inn, tavern, road house or hotel, whether conducted for the entertainment of transient guests or for the accommodation of those seeking health, recreation or rest, any restaurant, eating house, or any place where food is sold for consumption on the premises; any place maintained for the sale of ice cream, ice and fruit preparations or their derivatives, soda water or confections, or where beverages of any kind are retailed for consumption on the premises; garage, and all public conveyances operated on land and water, as well as the stations and terminals thereof; public bathhouse, public boardwalk, public seashore accommodation; theatre, or other place of public amusement, motion picture house, airdrome, music hall, roof garden, skating rink, amusement and recreation park, fair, bowling alley, gymnasium, shooting gallery, billiard and pool parlor; dispensary, clinic, hospital, public library, kindergarten, primary and secondary school, high school, academy, college and university, or any educational institution under the supervision of the regents of the State of New Jersey. Nothing herein contained shall be construed to include any institution, club, or place of accommodation which is in its nature distinctly private, or to prohibit the mailing of a private communication in writing sent in response to a specific written inquiry.

Production of notice deemed evidence.

Public places.

Private clubs excepted.

2. Section two of the said act of which this act is amendatory be and the same is amended so as to read as follows:

Section 2 amended.

2. Any person who shall violate any of the provisions of the foregoing section as amended by denying to any citizen, except for reasons applicable alike to all citizens of every race, creed and color, and regardless of race, creed or color, or of previous condition of servitude,

Penalty for violation.

the full enjoyment of any of the accommodations, advantages, facilities or privileges in said act enumerated, or by aiding or inciting such denial, or who shall aid or incite the violation of any of the said provisions shall, for each and every violation thereof, forfeit and pay the sum of not less than one hundred dollars nor more than five hundred dollars, to the State of New Jersey, to be recovered in an action of debt, with full costs, and shall also, for every such violation be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of not more than five hundred dollars, or be subject to imprisonment of not more than ninety days, or both such fine and imprisonment.

Instituting  
action.

The aggrieved party or parties in any such action or actions is authorized by this act to institute said action or actions in the name of the State of New Jersey, and in case judgment is awarded in favor of the plaintiff, the aggrieved party shall be entitled to be paid out of the judgment so recovered, the costs incurred in bringing said action and also attorney's fees not to exceed fifty dollars.

Repealer.

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

Approved April 7, 1921.

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#### CHAPTER 175.

An Act to amend an act entitled, "An act respecting the Court of Chancery (Revision of 1902).

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

Section 95  
amended.

1. Section ninety-five of said act shall be and the same is hereby amended so as to read as follows:

Ten vice-  
chancellors.

95. There shall be not more than ten vice chancellors, who shall be counsellors-at-law, of at least ten years'

standing, and shall be appointed by the chancellor and commissioned by the Governor, under the great seal of the State, and shall continue in office for seven years from the date of commission.

2. This act shall take effect immediately.

Approved April 7, 1921.

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CHAPTER 176.

An Act to amend an act entitled "A supplement to an act entitled 'An act to amend an act entitled "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,' " which supplement was approved April seventh, one thousand nine hundred and fourteen, which amendment was approved April third, one thousand nine hundred and seventeen, and which supplement was approved April nineteenth, one thousand nine hundred and twenty.

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

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

1. Whenever the Federal or State census shall show that any such city which when voting to adopt the provisions of said act had a population of less than ten thousand has increased in population to ten thousand or more, then two additional commissioners shall be elected at an election to be held on the second Tuesday in May following the official announcement of such increase in population, provided that in any city of more than ten thousand population and less than twenty-five Additional commissioners.  
Proviso.

Petition submitted.	<p>thousand population said election shall not be held until a proposed ordinance increasing the number of commissioners from three to five shall be submitted to the board of commissioners by petition signed by electors of the city equal in number to ten per centum of the votes cast at the last preceding general election, requesting that the said ordinance be submitted to the vote of the people, if not passed by the board of commissioners.</p>
Form of petition.	<p>The signatures, verification, authentication, inspection, certification, amendment and submission of such petition shall be the same as for petitions to recall commissioners as now provided by law. Upon the filing of said petition and certification of the same by the city clerk the board of commissioners shall within twenty days thereafter pass said ordinance without change or submit said ordinance without change to the vote of the electors of the city at the next general election. Said petitions must be filed and certified to by the city clerk at least sixty days before the general election at which the proposed ordinance shall be submitted to a vote of the electors.</p>
Ordinance.	
Ballots.	<p>The ballots to be used when voting upon said ordinance shall contain these words: "For the ordinance" (stating the nature of the proposed ordinance) and "Against the ordinance" (stating the nature of the proposed ordinance). If a majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city; and any ordinance proposed by petition or which shall be adopted by a vote of the people shall not be repealed or amended except by a vote of the people.</p>
Result.	
Repealer.	<p>2. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.</p> <p>3. This act shall take effect immediately.</p> <p>Approved April 7, 1921.</p>

## CHAPTER 177.

An Act to provide for the assessment of taxes in boroughs that are operating under the commission form of government with a population of over five thousand.

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

1. In all boroughs of this State that are operating under the commission form of government that have a population of over five thousand there may be a board of tax assessors therein composed of one or more members, but at no time shall the said board of tax assessors exceed three in number, who shall be appointed or elected by the governing body; *provided, however,* that the term of office of the members of said board of assessors shall be fixed by the governing body thereof, not, however, to exceed the term of three years, but such members shall continue in office until their successors are chosen and qualified. Any such officer may be removed from office in the manner now or hereafter to be provided by law; and in the case of death, resignation or removal of any such officer, his successor shall be chosen for the unexpired term only.

Board of tax assessors.

Proviso.

Removal from office.

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

Salary.

3. Said board of assessors shall have all the powers and perform all the duties devolving by law upon the assessors of taxes or boards for the assessment of taxes of such borough at the time of the passage of this act; and the offices of such assessors and such boards existing in such boroughs shall be abolished upon the

Powers and duties.

Present board abolished.

election and qualifying in office of a board of assessors by this act established.

Assessments  
valid.

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

Reports.

Fixing sal-  
aries.

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

Fees paid  
into treasury.

Repealer.

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

Approved April 7, 1921.

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#### CHAPTER 178.

An Act providing for improvements to inland, waterways and streams by joint action of two or more municipalities.

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

Improvement  
of waterways  
by municipi-  
palities.

1. Whenever any one or more municipality, including counties, cities, towns, townships or boroughs shall have flowing through their respective boundaries and borders, any inland waterway or navigable stream or

streams, and it shall be deemed to the advantage of any two or more of the said municipalities, to improve said inland waterways or streams by increasing their depth or width or both, it shall be lawful for said municipalities, acting together, to advertise for bids for the doing of said work, and to enter into joint contract therefor.

2. Whenever the work of increasing the depth or width or both of the inland waterways or navigable stream, aforesaid, is contemplated, each municipality desiring to enter into the project shall by its board or body having control of said waterway or navigable stream, introduce and pass a resolution, declaring the advisability of so doing, setting forth in the said resolution, in a general way, the work proposed to be done and its estimated cost, and, after all of the municipalities contemplating the doings of said work have passed such a resolution, a proposed form of agreement shall be prepared between the respective municipalities, setting forth the work or works to be undertaken, the plans and specifications therefor, and the estimated cost, together with the proportion of the cost thereof to be borne by each, and any other provisions deemed necessary or proper, to be inserted therein.

3. That the work mentioned herein may be done either as a local or general improvement, and like notice or notices of all proceedings shall be given as is required for such improvements under an act of the Legislature of the State of New Jersey, entitled, "An act concerning municipalities", approved March twenty-seventh, one thousand nine hundred and seventeen.

4. That all work to be done in pursuance with the provisions hereof, shall be by contract let to the lowest, responsible bidder after advertisement for bids in accordance with the aforesaid act, entitled, "An act concerning municipalities."

5. That bonds and temporary improvement notes may be issued by each or any of the municipalities joining in said agreement and work, said bonds and improvement notes to be issued in accordance with an act of the Legislature in the State of New Jersey, en-

Joint action.

Agreement.

Notice of proposed improvements.

Work done by contract.

Bonds issued.

titled, "An act to authorize and regulate the issuance of bonds and other obligations and incurring indebtedness by county, city, boroughs, village, township or any municipality governed by an improvement commission", approved March twenty-second, one thousand nine hundred and sixteen, and supplements thereto and amendments thereof.

Assessments  
for benefits.

6. That if the work herein provided for is done as a local improvement, assessment of benefits, shall be made in accordance with the aforesaid act of the Legislature, entitled, "An act concerning municipalities."

Repealer.

7. All acts or parts of acts inconsistent herewith are hereby repealed, to the extent of such inconsistencies *provided, however*, that nothing herein contained shall deprive any municipality, as herein defined, from doing any of the work herein provided for, without joining with any other municipality.

Proviso.

8. This act shall take effect immediately.  
Approved April 7, 1921.

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#### CHAPTER 179.

An Act concerning incorporated towns having a population not in excess of twenty-five thousand and providing for the appointment of certain officers thereof.

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

Appointment  
of certain  
officers.

1. In all incorporated towns having a population not in excess of twenty-five thousand as legally ascertained by the last preceding enumeration of such population, the town clerk and town collector, and members of the board of assessors shall be appointed by the mayor and town council by a majority vote of said mayor and town council, and said appointments of town clerk and town collector and members of the board of assessors re-

spectively, shall be for such respective terms as the town council may fix by ordinance.

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately; *provided, however*, that any town clerk or town collector or member of the board of assessors in towns included within the provisions of this act who shall hold office at the time this act takes effect, shall continue to hold such office until the expiration of the term thereof for which such town clerks and town collectors and members of the board of assessors, respectively were elected or appointed.

Approved April 7, 1921.

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#### CHAPTER 180.

An Act to amend an act entitled "An act concerning and regulating the acquisition and taking of lands by the State of New Jersey, or any agency thereof; providing a procedure therefor, and the manner of making compensation for lands so taken," approved April twenty-first, one thousand nine hundred and twenty, being chapter 295 of the Laws of 1920.

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

1. Definitions. Unless the contrary is indicated by the text hereof, the following words when used in this act shall be construed as follows:

Agency: Agency shall be taken to mean and include any State commission, official, board or body of the State but not any county or municipality.

Lands: Lands shall be taken to mean and include lands and interest therein of every kind and character, whether legal or equitable.

Repealer.

Proviso.

Section 1 amended.

Definitions pertaining to taking lands by State.

Compensation: Compensation shall be taken to mean and include awards, damages, interests and claims allowed in satisfaction of interests taken.

Map: Map shall include drawings, engineer's notations and written descriptions, either noted upon or attached to such map, showing the location of the lands mentioned therein and the interests of the parties in interest in such lands.

2. This act shall take effect immediately.

Approved April 7, 1921.

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### CHAPTER 181.

An Act to license and regulate the business of transient merchants or itinerant vendors in this State.

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

Transient  
sellers.

1. The words "transient merchants" or "itinerant vendors," shall, for the purposes of this act be construed to mean and include persons, corporations or partnerships, principal or agent, who engage in a temporary or transient merchandising business in New Jersey, and including those who for the purpose of carrying on such business, hire, or lease or occupy any building, structure or railroad car for the exhibition and sale of such goods, wares and merchandise; *provided, however,* that nothing in this act shall be construed to affect the sale of fruits, vegetables and farm products, such as meat, poultry, butter and eggs.

Proviso.

Declaration  
by merchant.

2. All transient merchants or itinerant vendors defined in section one (1) of this act before offering for sale any goods, wares, merchandise or bankrupt stock, shall under oath, make a declaration to the chief fiscal officer of the municipality in which they propose to conduct such sale, of the number of days they propose to engage in such business, and shall include in such sworn statement a true invoice or detailed statement of the amount of goods, wares, merchandise or bankrupt stock it is proposed to offer for sale within said municipality,

together with a specific statement as to the location of such goods, wares, merchandise or bankrupt stock by street and number and whether on the premises from which it is to be sold or in warehouses or storage.

3. All transient merchants or itinerant vendors as used in act before offering for sale any goods, wares, merchandise or bankrupt stock, shall pay to the chief fiscal officer of the municipality in which such sale is to take place, a sum equal to two per centum (2%) of the fair cash value of such goods, wares, merchandise or stock.

Payment before selling.

4. For the purpose of determining the value of such goods, wares, merchandise or stock, said chief fiscal officer may accept the sworn statement and invoice of the owner or seller thereof, or may cause an appraisal or examination thereof to be made by some competent persons to be selected by said chief fiscal officer; *provided, however,* that said transient merchant or itinerant vendor of goods, wares, merchandise or stock, as used in this act in lieu of paying the two per centum (2%) of the fair cash value of such goods, wares, merchandise or stock, shall be entitled to apply for and receive a license upon paying to the said chief fiscal officer thereof, the sum of two hundred dollars (\$200) which said license shall continue in favor of the person to whom it is issued for the period of thirty (30) days from the date the same is issued.

Fixing value of goods.

Proviso.

5. All applications for the license referred to in section four hereof shall be sworn to and shall disclose the name or names and residences of the owners or persons in whose interest such business is conducted; and shall further state the average quantity and kind, as nearly as can be, and the value of the stock of goods, wares and merchandise intended to be sold or exposed for sale in said municipality. It shall also give the names and post-office addresses of the persons or corporations from which goods making up the stock were or are to be purchased and the said chief fiscal officer in arriving at the valuation may require the submission of bills or invoices of such goods, wares and merchandise or stock. A separate license must be obtained for each branch, establishment or separate place of business in which the trade,

What application to show.

License.

following, profession or occupation of a transient merchant or itinerant vendor is carried on, and each license shall authorize the person obtaining it to carry on, pursue or conduct the business of a transient merchant or itinerant vendor only at the location or place of business which is indicated thereby.

Bond re-  
quired.

Amount.

Conditions.

6. Before a license as herein provided, shall issue, the applicant shall execute and deliver to the said chief fiscal officer a good and sufficient bond with good and sufficient surety or sureties, to be approved by said chief fiscal officer, equal in amount to twenty-five per centum (25%) of the value of the stock of goods as shown in the declarations and disclosures required under the provisions of this act, but in no event shall said bond be less than two hundred dollars (\$200) in amount, said bond to remain in force for one year, and be conditioned to indemnify and pay said municipality any penalties or costs incurred in the enforcement of any of the provisions of this act, and which shall also by its terms be so conditioned as to indemnify or reimburse any purchaser of goods, wares or merchandise in a sum equal to at least the amount of any payment or payments such purchaser may have been induced to make through misrepresentation as to the kind, quality or value of such goods, wares or merchandise whether the said misrepresentations were made by the owners or by their servants, agents or employees, either at the time of making the sale or through any advertisement of any character whatsoever printed or circulated with reference to the said stock of goods, wares and merchandise or any part thereof.

Agent ap-  
pointed.

7. Before a license as herein provided for shall issue the applicant shall file with the chief fiscal officer of such municipality, an instrument in writing nominating and appointing the said chief fiscal officer, his true and lawful agent with full power and authority to acknowledge service or notice of process for and on behalf of said applicant in respect to any matters connected with or arising out of the said license and the bond given as required by the provisions of section six (6) of this act or for the performance of the conditions of said bond or for any breach thereof, which said instrument

in writing so nominating and appointing said chief fiscal officer as such agent shall contain recitals to the effect that said applicant for said license consents and agrees that service of any notice or process may be made upon said agent and when so made shall be taken and held to be as valid as if personally served upon the person applying for said license under this act according to the laws of this or any other State, and waiving all claim or right of error by reason of such acknowledgment of service or manner of service.

8. Nothing in this act contained shall apply to or require the obtaining of a license by any charitable or religious society that shall conduct sales of goods, wares or merchandise when the proceeds thereof shall be applied to the payment of the expenses thereof and to the charitable or religious object for which such charitable or religious society exists.

Charities  
exempted.

9. Any transient merchant or itinerant vendor of goods, wares, or merchandise as defined in this act who shall offer for sale or sell any goods, wares or merchandise without first paying to the chief fiscal officer of the municipality the license fee as herein required or who shall fail to secure the license provided for herein, or who shall neglect or refuse to file the statement provided for herein, or who shall make a false or fraudulent representation therein or falsely represent by advertising or otherwise that such goods, wares or merchandise are in whole or in part damaged goods saved from fire or make any false statement as to the previous history or character of such goods, wares or merchandise, or shall fail to file the bond required under this act and the appointment of an agent upon whom service can be made for the purpose mentioned herein or shall refuse or neglect to comply with the requirements of this act in any part, shall be subject to a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) and shall stand committed until such fine and costs are fully paid, but such commitment shall not exceed thirty (30) days.

Penalties for  
failure to  
comply with  
act.

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

Repealer.

Approved April 7, 1921.

## CHAPTER 182.

An Act to amend the title and body of an act entitled "An act to authorize boards of education in cities of the first class to meet emergency conditions in the performance of contracts for the erection and construction of public school buildings, created by the existence of war between the United States of America and the Imperial German Government, and to prevent default upon or delay in the execution of such contracts", approved April seventh, nineteen hundred and twenty.

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

Title amended.

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

New title.

An act to authorize boards of education in towns and in cities of the first and second class to meet emergency conditions in the performance of contracts for the erection and construction of public school buildings, created by the existence of war between the United States of America and the Imperial German Government, and to prevent default upon or delay in the execution of such contracts.

Section 1 amended.

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

Meeting increased cost of contract.

1. It shall and may be lawful in any town or city of the first and second class of this State where a contract has been entered into between the board of education in such city or town with any person or corporation, at any time during the state of war existing as aforesaid, to pay to such person or corporation who or which has so contracted, the increased cost of labor, freight and materials over and above the prices prevailing at the

time of the making of such contract or contracts; *provided*, that the amount of any such extra payment so to be made shall not in any case exceed ten per centum of the amount of the original contract; *and provided, further*, that such additional compensation or payments granted and allowed shall not include any supplemental or additional profit to the contractor or contractors, but shall be confined to the actual increased cost of said work to said contractor or contractors.

Proviso.

Proviso.

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. No agreement hereunder shall be made by any town, city or board of education hereof after sixty days from the passage of this act.

Future contracts.

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

Repealer.

Approved April 7, 1921.

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#### CHAPTER 183.

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

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

1. Section six of the act referred to in the title of this act be and the same is hereby amended to read as follows:

Section 6 amended.

6. The moneys for the acquisition of lands and the erection of buildings shall be approved as to the amount

Approval of expenditures.

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 one hundred and fifty thousand dollars.

Amount.

If amount too great.

Issue of bonds.

Provision for moneys.

Proviso.

Repealer.

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 one hundred and fifty thousand dollars.

Said bonds to be issued in accordance with the provisions of an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen.

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.

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

Approved April 7, 1921.

## CHAPTER 184.

An Act to repeal sundry acts relative to motor vehicles.

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

1. The following acts are hereby repealed:

Sundry acts  
repealed.

(1) 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, and known as chapter 113, P. L. 1906.

(2) 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 April eighth, one thousand nine hundred and eight, and known as chapter 115, P. L. 1908.

(3) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, approved April sixteenth, one thousand nine hundred and eight, and known as chapter 304, P. L. 1908.

(4) A further supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, approved April sixteenth, one thou-

sand nine hundred and nine, and known as chapter 127, P. L. 1909.

(5) A act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, approved April twenty-first, one thousand nine hundred and nine, and known as chapter 235, P. L. 1909.

(6) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, approved April twenty-first, one thousand nine hundred and nine, and known as chapter 257, P. L. 1909.

(7) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles, fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, approved April ninth, one thousand nine hundred and ten, and known as chapter 224, P. L. 1910.

(8) An act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of

license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which amendatory act was approved April twenty-first, one thousand nine hundred and nine, approved April ninth, one thousand nine hundred and ten, and known as chapter 225, P. L. 1910.

(9) 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, and the various acts, amendments thereof and supplements thereto, approved April twenty-seventh, one thousand nine hundred and eleven, and known as chapter 281, P. L. 1911.

(10) 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, approved February twenty-sixth, one thousand nine hundred and twelve, and known as chapter 9, P. L. 1912.

(11) 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 violations," approved April twelfth, one thousand nine hundred and six, approved March twenty-fifth, one thousand nine hundred and twelve, and known as chapter 140, P. L. 1912.

(12) 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, approved April first, one thousand nine hundred and twelve, and known as chapter 277, P. L. 1912.

(13) 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, approved April second, one thousand nine hundred and twelve, and known as chapter 361, P. L. 1912.

(14) Supplement to an act entitled "An act concerning disorderly persons (Revision of 1898)," approved March twelfth, one thousand nine hundred and thirteen, and known as chapter 67, P. L. 1913.

(15) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, approved March twenty-fourth, one thousand nine hundred and thirteen, and known as chapter 94, P. L. 1913.

(16) An act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the

licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violation,' approved April twelfth, one thousand nine hundred and six," which amendment was approved April sixteenth, one thousand nine hundred and eight, approved March twenty-fourth, one thousand nine hundred and thirteen, and known as chapter 95, P. L. 1913.

(17) An act to amend an act entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations, approved April twelfth, one thousand nine hundred and six,'" which supplement was approved April second, one thousand nine hundred and twelve, approved March twenty-fourth, one thousand nine hundred and thirteen, and known as chapter 96, P. L. 1913.

(18) 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, approved March twenty-fourth, one thousand nine hundred and thirteen, and known as chapter 97, P. L. 1913.

(19) 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, approved March twenty-fourth, one thousand nine hundred and thirteen, and known as chapter 98, P. L. 1913.

(20) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, approved March twenty-fourth, one thousand nine hundred and thirteen, and known as chapter 100, P. L. 1913.

(21) An act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,'" approved April twelfth, one thousand nine hundred and six, which amendment was approved April twenty-first, one thousand nine hundred and nine, approved March twenty-fourth, one thousand nine hundred and thirteen, and known as chapter 101, P. L. 1913.

(22) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and

six, approved March twenty-fourth, one thousand nine hundred and thirteen, and known as chapter 115, P. L. 1913.

(23) An act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which amendment was approved April sixteenth, one thousand nine hundred and eight, approved March thirty-first, one thousand nine hundred and thirteen, and known as chapter 163, P. L. 1913.

(24) An act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of licenses 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, approved April sixteenth, one thousand nine hundred and eight, approved April third, one thousand nine hundred and thirteen, and known as chapter 254, P. L. 1913.

(25) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing the 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, approved April fourteenth, one thousand nine hundred and thirteen, and known as chapter 333, P. L. 1913.

(26) An act to amend a supplement to an act entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which amendment was approved April twenty-seventh, one thousand nine hundred and eleven, approved April fourteenth, one thousand nine hundred and thirteen, and known as chapter 334, P. L. 1913.

(27) 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, approved April fourteenth, one thousand nine hundred and thirteen, and known as chapter 335, P. L. 1913.

(28) An act to confer on the Commissioner of Motor Vehicles all the powers of a justice of the peace, recorder, or police judge, under 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, and the several supplements thereto and act amendatory thereof, approved April fourteenth, one thousand nine hundred and thirteen, and known as chapter 337, P. L. 1913.

(29) 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, approved April fourteenth, one thousand nine hundred and thirteen, and known as chapter 338, P. L. 1913.

(30) An act to provide for the preservation of highways and bridges in this State, approved April fourteenth, one thousand nine hundred and thirteen, and known as chapter 362, P. L. 1913.

(31) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof, and proceedings or the violations of the provisions of the act and penalties or said violations," approved April twelfth, one thousand nine hundred and six, approved April seventeenth, one thousand nine hundred and fourteen, and known as chapter 246, P. L. 1914.

(32) An act to amend an act entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,'" approved April twelfth, one thousand nine hundred and six, which supplement was approved April second, one thousand nine hundred and twelve, approved March ninth, one thousand nine hundred and fifteen, and known as chapter 37, P. L. 1915.

(33) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles;

fixing the amount of license and registration fees; prescribing and regulating process and the service thereof, and proceedings for the violations of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, approved March twenty-fourth, one thousand nine hundred and fifteen, and known as chapter 76, P. L. 1915.

(34) 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, approved March twenty-fourth, one thousand nine hundred and fifteen, and known as chapter 84, P. L. 1915.

(34½) 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, approved March twenty-fourth, one thousand nine hundred and fifteen, and known as chapter 94, P. L. 1915.

(35) 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 violations of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, approved March twenty-ninth, one thousand nine hundred and fifteen, and known as chapter 96, P. L. 1915.

(36) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, approved March thirty-first, one thousand nine hundred and fifteen, and known as chapter 129, P. L. 1915.

(37) An act to provide for the regulation of vehicular and pedestrian use of the roads and highways of this State, approved March thirty-first, one thousand nine hundred and fifteen, and known as chapter 134, P. L. 1915.

(38) 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, approved March thirty-first, one thousand nine hundred and fifteen, and known as chapter 135, P. L. 1915.

(39) 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, approved March thirtieth, one thousand nine hundred and sixteen, and known as chapter 18, P. L. 1916.

(40) A act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act defining mo-

tor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violation," approved April twelfth, one thousand nine hundred and six, which supplement was approved April second, one thousand nine hundred and twelve, approved March sixteenth, one thousand nine hundred and sixteen, and known as chapter 103, P. L. 1916.

(41) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, which amendment was approved March thirty-first, one thousand nine hundred and fifteen, approved March sixteenth, one thousand nine hundred and sixteen, and known as chapter 114, P. L. 1916.

(42) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violation," approved April twelfth, one thousand nine hundred and six, approved March seventeenth, one thousand nine hundred and sixteen, and known as chapter 142, P. L. 1916.

(43) An act relative to the reporting of automobile accidents, approved March seventeenth, one thousand nine hundred and sixteen, and known as chapter 163, P. L. 1916.

(44) An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, approved March eighteenth, one thousand nine hundred and sixteen, and known as chapter 215, P. L. 1916.

(45) 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 violations of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, approved March eighteenth, one thousand nine hundred and sixteen, and known as chapter 216, P. L. 1916.

(46) An act to amend an act entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,'" approved April twelfth, one thousand nine hundred and six, which said supplement was approved April second, one thousand nine hundred and twelve, approved March sixteenth, one thousand nine hundred and seventeen, and known as chapter 45, P. L. 1917.

(47) An act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules and reg-

ulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,'” approved April twelfth, one thousand nine hundred and six, which amendment was approved March eighteenth, one thousand nine hundred and sixteen, approved March sixteenth, one thousand nine hundred and seventeen, and known as chapter 48, P. L. 1917.

(48) An act to amend an act entitled “An act to amend an act entitled ‘A supplement to an act entitled “An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,”’” approved April twelfth, one thousand nine hundred and six, which supplement was approved April second, one thousand nine hundred and twelve, and which amendment was approved March ninth, one thousand nine hundred and fifteen, approved March sixteenth, one thousand nine hundred and seventeen, and known as chapter 49, P. L. 1917.

(49) An act to amend an act entitled “A supplement to an act entitled ‘An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,’” approved April twelfth, one thousand nine hundred and six, which supplement was approved April second, one thousand nine hundred and twelve, approved March sixteenth, one thousand nine hundred and seventeen, and known as chapter 50, P. L. 1917.

(50) An act to amend an act entitled “An act to amend an act entitled ‘An act defining motor vehicles

and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations;” approved April twelfth, one thousand nine hundred and six, which amendment was approved April sixteenth, one thousand nine hundred and eight, approved February ninth, one thousand nine hundred and eighteen, and known as chapter 29, P. L. 1918.

(51) An act to amend an act entitled “An act to amend an act entitled ‘An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and the penalties for said violations,’” approved April twelfth, one thousand nine hundred and six, which said act was approved March seventeenth, one thousand nine hundred and sixteen, approved February sixteenth, one thousand nine hundred and eighteen, and known as chapter 65, P. L. 1918.

(52) An act to amend an act entitled “An act to regulate the use of motor vehicles for commercial purposes,” approved March twenty-ninth, one thousand nine hundred and seventeen, approved February sixteenth, one thousand nine hundred and eighteen, and known as chapter 68, P. L. 1918.

(53) An act to amend an act entitled “An act to amend an act entitled ‘A supplement to an act entitled “An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof, and proceedings for the violation of the provisions of the act and penalties for said violation,” ’” approved April twelfth one thousand nine hundred and

six, which said supplement was approved April second, one thousand nine hundred and twelve, as amended by the act approved March sixteenth, one thousand nine hundred and seventeen, approved February sixteenth, one thousand nine hundred and eighteen, and known as chapter 69, P. L. 1918.

(54) An act amending an act entitled "An act amending an act entitled 'An act defining motor vehicles, and providing for the registration of the same, of the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and the penalties for said violations,'" approved April twelfth, one thousand nine hundred and six, approved April twenty-first, one thousand nine hundred and nine, approved February twenty-second, one thousand nine hundred and eighteen, and known as chapter 100, P. L. 1918.

(55) An act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof, and proceedings for the violation of the provisions of the act and penalty for said violations,'" approved April twelfth, one thousand nine hundred and six, approved March eighteenth, one thousand nine hundred and sixteen, approved February twenty-second, one thousand nine hundred and eighteen, and known as chapter 101, P. L. 1918.

(56) An act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof, and proceedings for the violation of the provisions of the act and the penalty for said violations,'" approved April twelfth, one thousand nine hundred and six, approved February

twenty-second, one thousand nine hundred and eighteen, approved April fifteenth, one thousand nine hundred and nineteen, and known as chapter 180, P. L. 1919.

2. This act shall take effect January first, one thousand nine hundred and twenty-two. Act effective.

Approved April 7, 1921.

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CHAPTER 185.

An Act to amend an act entitled "An act providing for the regulation of vehicles, animals, and pedestrians on all public roads and turnpikes and prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations, and granting authority to towns, cities, boroughs and townships, under certain restrictions for the adoption of ordinances further regulating vehicles, pedestrians, and animals, and designating the authorities to enforce its provisions, and defining their powers and their authority," approved April sixth, one thousand nine hundred and fifteen.

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

1. Subdivision twelve of section two, part two, be Repealer. and the same is hereby repealed.

2. Subdivision thirteen of section two, part two, is Section amended. hereby amended to read as follows:

(13) It shall be unlawful for any persons to hitch, or leave standing, or to cause or permit to be hitched or left standing, any animal, or to leave standing or to cause to permit to be left standing, any vehicle, or to stop or to cause to be stopped any animal or vehicle in or upon any public street within ten (10) feet of a fire hydrant, unless such animal is in charge of some Fire hydrants kept clear.

- person capable of driving the same, or unless such vehicle is in charge of some person capable of driving or operating same; or to park any vehicle in or upon any driveway, not the property of such vehicle owner, unless the consent to so park is first obtained from the owner of the driveway.
- Parking in driveways.**
- Section repealed.** 3. Subdivision three of section six, part two, is hereby repealed.
- Part amended.** 4. The title and first paragraph of section eleven, part three is hereby amended to read as follows:
- City and town regulations.** 11. The following provisions shall be in force (only in places where the houses are on an average of less than one hundred feet apart):
- Section amended.** 5. Subdivision five of section eleven, part three, is hereby amended to read as follows:
- Police whistles.** 5. Any driver shall upon one blast of a police whistle with hand raised given by a police officer, bring the vehicle to a full stop, and shall not proceed again until receiving a signal so to do from such officer. Three or more blasts of the police whistle is the signal for alarm and indicates the approach of a fire engine or some other danger.
- Section amended.** 6. Section twenty-four of part six is hereby amended to read as follows:
- Penalty for first offense.** 24. (1) For the first offense a fine not to exceed twenty-five dollars, or on a failure to pay such fine, imprisonment in the county jail for a period not to exceed ten days; for each additional offense a fine not to exceed fifty dollars, or on failure to pay such fine, imprisonment in the county jail for a period not to exceed twenty days.
- Subsequent offenses.**
- Accounting and use of moneys received under this act.** Moneys received in accordance with the provisions of this act shall be accounted for and forwarded to the Commissioner of Motor Vehicles, and by him paid over to the State Treasurer of the State of New Jersey to be used as a fund for the repair of the improved roads throughout the State, regard being had to the repair of the most important improved roads and the distribution of the benefits of this act throughout the several counties of this State.
- Section 27 repealed.** 7. Section twenty-seven be and the same is hereby repealed.
8. This act shall take effect immediately.
- Approved April 7, 1921.

## CHAPTER 186.

An Act to prevent the felonious taking and stealing of motor vehicles and the receiving and purchasing of stolen motor vehicles.

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

1. If any person shall feloniously take or steal any motor vehicle, or shall be an accessory thereto before or after the fact, or shall receive or purchase any motor vehicle knowing the same to have been stolen, the person so offending shall be guilty of a felony, and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars, and to undergo imprisonment by separate or solitary confinement at labor not exceeding ten years.

Stealing motor vehicles.

Penalty.

2. This act shall take effect immediately.

Approved April 7, 1921.

## CHAPTER 187.

An Act relative to recorders in towns.

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 town in this State by resolution to appoint a recorder who shall hold office for a term of five years from the first day of January of the year of his appointment and who shall receive such compensation as said governing body shall by law fix.

Town recorder.

Term.

2. Such recorders shall have the same jurisdiction, power and authority in criminal matters, cases of bas-

Powers and jurisdiction.

tardy, relief, removal and settlement of the poor, breaches of the peace, vagrancy and disorderly conduct, and violations of municipal ordinances as is by law conferred upon justices of the peace and police justices, in towns.

3. This act shall take effect immediately.

Approved April 7, 1921.

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CHAPTER 188.

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

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

Section 80 amended.

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

Foreign insurance companies must act through authorized agencies.

80. No insurance company of another State or foreign country, except a life insurance company, may transact business in this State, except through duly constituted and appointed agents resident, herein, whose principal place of business for the conduct of such agency is located in this State, and who shall maintain a bona fide duly operated business office in this State, and shall issue and countersign all policies and contracts so issued. This section shall not apply to direct insurance covering the rolling stock of railroad corporations operating between different States or property received for shipment from one State to another while in the possession or custody of railroad corporations or other common carriers.

Exceptions.

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

3. This act shall take effect immediately.

Approved April 7, 1921.

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CHAPTER 189.

An Act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to provide for assistant prosecutors in the several counties of this State," ' ' approved March fifteenth, one thousand nine hundred and five.

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 is hereby amended so as to read as follows:

Section 3 amended.

3. In counties which now have or hereafter may have a population of more than eighty thousand and not more than ninety-five thousand inhabitants, the assistant prosecutor shall receive an annual salary of one thousand five hundred dollars; in counties which now have or hereafter may have a population of more than one hundred thousand and not more than one hundred and thirty-five thousand inhabitants, the assistant prosecutor shall receive an annual salary of two thousand five hundred dollars; in counties which now have or hereafter may have a population of more than one hundred and thirty-five thousand inhabitants and not more than two hundred thousand inhabitants, the assistant prosecutor shall receive an annual salary of four thousand dollars; and in counties which now have or hereafter may have a population of more than two hundred thousand inhabitants, the assistant prosecutor shall receive an annual salary of five thousand dollars.

Salary of assistant prosecutor.

2. This act shall take effect immediately.

Approved April 7, 1921.

## CHAPTER 190.

An Act for the relief of Benjamin F. Hardesty.

**Preamble.** WHEREAS, In the construction of route 9 in the State Highway System at Jutland, in the county of Hunterdon, in this State, a heifer owned by Benjamin F. Hardesty was destroyed by reason of eating dynamite left on his property by the engineering and construction department of the State Highway Commission, in the construction of the highway at such place, and no fund exists out of which compensation may be made to the owner, Benjamin F. Hardesty, by reason of his loss; therefore;

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

**Compensation  
for heifer.**

1. The State Highway Commission is hereby authorized to make compensation to Benjamin F. Hardesty, of Jutland, in the county of Hunterdon, in this State, by paying to him, out of the State road fund, the sum of one hundred and twenty-five dollars as compensation for the loss of a heifer killed by eating dynamite intended for use by the agents and servants of the State Highway Commission in the construction of route 9 in the State Highway System at said place. The Comptroller of the Treasury shall draw his warrant on the State Treasurer for the amount indicated, on proper voucher, out of the State road fund.

**Payment.**

2. This act shall take effect immediately.  
Approved April 7, 1921.

## CHAPTER 191.

An Act to amend an act entitled "An act concerning free public libraries," approved April fourteenth, one thousand nine hundred and five.

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

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

4. It shall be lawful to raise by taxation annually for the support and use of said library, in addition to the sum required to be raised by section three, a sum not exceeding two-thirds of a mill on every dollar of assessable property in such municipality; and the sums assessed and collected by virtue of this act shall be used for no other purpose than for the use of a free public library. Further sum for library.

2. This act shall take effect immediately.

Approved April 7, 1921.

## CHAPTER 192.

A Supplement to an act entitled "An act to provide for officers of the Senate and General Assembly and to fix their compensation," approved February ninth, nineteen hundred and eighteen.

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

1. There shall be paid to the officers of Senate and General Assembly named in the act to which this is a supplement, for services for the session of nineteen Bonus to legislative employees.

hundred and twenty-one, additional compensation to the amount of fifteen per centum of the annual compensation provided for in the aforesaid act.

Extra em-  
ployees.

2. The same additional compensation shall be paid to employees rendering service for the session of nineteen hundred and twenty-one in positions created by resolution of either house.

Appropriation.

3. There is hereby appropriated the sum of seven thousand five hundred and seventy dollars to pay the additional compensation authorized by this act.

4. This act shall take effect immediately.

Approved April 7, 1921.

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### CHAPTER 193.

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

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 so as to read as follows:

Legal holi-  
days.

1. The following days and half days, namely, the first day of January, commonly called New Year's Day; the twelfth day of February, called Lincoln's Birthday; the twenty-second day of February, known as Washington's Birthday; the day now designated and known as Good Friday; the thirtieth day of May, known as Decoration Day; the fourth day of July, called Independence Day; the first Monday of September, known as Labor Day; the twelfth day of October, known as Columbus Day; the eleventh day of November, known as Armistice Day; the twenty-fifth day of December, known as

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

Regarding  
banking.

Proviso.

Proviso.

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

Section 2  
amended.

2. That whenever the first day of January, the twelfth day of February, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the twelfth day of October, the eleventh day of November, or the twenty-fifth day of December, shall fall upon Sunday, the Monday next following shall be deemed a

Observed on  
Monday.

Proviso. public holiday for all or any of the purposes aforesaid; *provided, however*, that in such cases all bills of exchange, checks and promissory notes, made after the passage of this act, which would otherwise be presentable for acceptance or payment on the said Monday, shall be deemed to be presentable for acceptance or payment on the secular or business day next succeeding such holiday.

3. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 194.

An Act to amend an act entitled "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," 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 to which this is an amendment is hereby amended to read as follows:

Working hours for females.

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 fifty-four hours in any one week; *provided*, that in hotels or other establishments the business of which is in its nature continuous, and where the working hours for women do not exceed eight hours per day, the provisions of this act shall not apply; *and provided*, that nothing herein contained shall apply to canneries engaged in packing a perishable product such as fruits and vegetables.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 195.

An Act to further amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

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

1. Section twenty-two of Article XX of chapter 152 of the Laws of 1917, entitled "An act concerning municipalities," be and is hereby amended so as to read as follows:

Section 22 amended.

22. In addition to the making of assessments for benefits, the said officer or board, or majority of such board, shall also at the same time fix and determine the amount if any, that any property is damaged incidentally to the making of the improvement, but exclusive of damages for land taken. The amount of such incidental damages accruing to any parcel of land or real estate shall be deducted from the amount of any benefits assessed thereon. In case the amount of such damages as confirmed by the governing body shall exceed the benefits assessed upon any parcel of land or real estate, or in case no benefit shall accrue thereto, the balance or the amount of such damages may be raised as provided by law, and shall be paid by the municipality to the owner of any such parcel of land or real estate so damaged. In case there is an uncertainty as to the person who is entitled to receive any award of such damages, the amount thereof may be paid into the Court of Chancery, and shall there be distributed according to law to the person or persons entitled thereto. Any person feeling aggrieved by any such assessment or award for incidental damages may, after the same has been confirmed either with or without alteration by the governing body, appeal therefrom as provided in section forty-two of this article.

Damages fixed.

If damages exceed benefits.

Appeal may be taken.

Section 23  
amended.

Ordinance  
to state loca-  
tion of land  
to be taken.

Map.

Award.

Payment  
of award.

2. Section twenty-three of said Article XX be and the same is hereby amended so as to read as follows:

23. When any improvement ordinance shall require the taking of lands or real estate, or any right or interest therein of any owner thereof, the ordinance for that purpose, when introduced, shall state the location and character of the improvement proposed to be made, the lands and real estate to be taken therefor sufficiently described so as to be readily identified, and such ordinance shall be accompanied by a map prepared under the direction of the governing body, showing in detail the location and dimensions of such land proposed to be taken. After the passage of such ordinance said map, together with a copy of the ordinance duly attested by the clerk of the governing body shall be filed with the officer or board charged with the assessment for benefits in the municipality. Such officer or board, or a majority of such board, shall make an award for said lands and real estate or right or interest therein to be taken, to the owner or owners thereof after hearings are held, upon notice, in the same way and manner as provided heretofore in this article in the case of assessments for benefits and awards for incidental damages where no lands are to be taken, and shall certify and report the same to the governing body in the same way and manner as provided in section twenty-seven of this article in the case of assessments for benefits and incidental damages where no lands are taken, and said governing body shall proceed in regard thereto in the same way and manner prescribed in said section twenty-seven, except that if for any reason, such as that the aggregate awards for damages is so large as to render the making of the proposed improvement unwise in the judgment of the governing body, nothing in this act shall be construed to deprive it of power to abandon the proposed improvement and repeal the improvement ordinance at any time prior to confirmation of any award for lands to be taken thereunder. When any award made under this section is confirmed by the governing body the amount thereof shall promptly after such confirmation be tendered to the person or persons entitled thereto and before the commencement of the work. In

case of uncertainty as to who is entitled thereto, or where the municipality is unable to tender any such award by reason of the incapacity or absence of any person entitled thereto, or otherwise, or where any person or persons refuse to accept or receive such award the same may be paid into the Court of Chancery and shall there be distributed to the person or persons entitled thereto according to law.

Upon the acceptance of any such award, or payment of the same into the Court of Chancery, title to such land and real estate or right or interest therein shall vest in the municipality, which may thereupon enter upon and take possession of such land and real estate or right or interest therein and remove all persons therefrom, and such ordinance shall forthwith be recorded in the records of deeds of the county wherein such municipality is situate, and said map filed in the office where the records of such deeds are kept.

Title vested in municipality.

Any owner or owners of lands or real estate taken for any such improvement may appeal to the Circuit Court of the county wherein such municipality is situate at any time within thirty days after the confirmation by the governing body of the award complained of. Such appeal shall be taken in the manner prescribed in section twenty-three-A of this article. The court to which appeal is had shall order a trial by jury to assess such damages and benefits anew. Such trial shall be conducted as in other cases of trial by jury in civil actions, upon an issue to be framed under the direction of or by the court. No such appeal nor trial shall delay the prosecution or completion of the improvement, but the municipality may proceed therewith as though said appeal had not been taken. The judgment entered in any Court of Common Pleas in such appeal shall fix the amount to be recovered by the appellant, and such judgments may be enforced in the same manner as are other judgments in said court.

Taking appeal.

Trial.

Judgment.

3. Section 23-A of said Article XX be and the same is hereby amended so as to read as follows:

Section 23-A amended.

23-A. An appeal under section twenty-three of this article shall be taken by serving a notice thereof on the chief executive officer, or upon the clerk of the govern-

Notice of appeal.

ing body of the municipality either personally or by leaving the same at his office or place of abode. Such notice shall state the award, or part thereof from which the appeal is taken, the name and address of the person appealing, and proof of the service thereof shall be filed in the office of the clerk of the court to which the appeal is taken within seven days after such service, or the right to appeal shall be considered waived.

Section 42  
amended.

4. Section forty-two of said Article XX be and is hereby amended so as to read as follows:

Appeal from  
assessment.

42. Any owner of any property assessed for benefits or awarded damages as incidental to the improvement, as distinguished from damages for land to be taken under this act, may, within thirty days after confirmation of such assessment or award, appeal from the same to the Court of Common Pleas of the county wherein such municipality is located by serving written notice of such appeal within such thirty days upon the tax collector and

Notice served.

a duplicate upon the clerk of the governing body. A copy of such notice, together with verification of the service thereof, shall be filed in the office of the clerk of said court within one week after service thereof, or such appeal shall be considered waived. Such notice shall state the address of the appellant where notice of further proceedings may be served upon him. The hearing of such appeal shall be brought on upon order of said court at a day and place to be fixed by it, but all such appeals from assessments or awards for incidental damages under the same improvement shall be heard by the court and determined at one time. Said court shall have power to prescribe rules to regulate the practice in the taking and conduct of such appeals, and on the hearing thereof said court shall determine whether or not the assessment for benefits or award for incidental damages appealed from, upon or to any parcel of land or real estate is a just and fair assessment or award, and if not, shall make an order correcting the same, or if the assessment or award is sustained shall so order. But the determination of the court in regard to all such appeals in the case of any one improvement shall be embodied in one and the same order, and shall direct that a certified copy of the same shall be served upon the tax

Hearing.

Determination  
by court.

collector and upon the clerk of the municipality. The tax collector shall, upon receiving such certified copy of such order, note in his books any corrections or changes made thereby and report the same to the chief financial officer of the municipality. After confirmation the governing body shall still have power, upon due proof by affidavit of such error, to order by resolution the correction of any manifest error in any assessment for benefits from which no appeal has been taken, and upon the adoption of such resolution the tax collector shall note and report such correction in the same manner.

Corrections  
on books.

5. Said Article XX be and the same is hereby further amended by adding at the present end thereof a new section reading as follows:

Section 56  
added.

56. No certiorari, injunction or other writ or process shall be allowed or granted to review or set aside any ordinance for any improvement after the contract therefor shall have been awarded, or to set aside any assessment or award made for any improvement after thirty days shall have elapsed from the date of the confirmation of such assessment or award.

No court  
proceedings  
after thirty  
days.

6. This act shall take effect immediately; *provided, nevertheless*, that nothing herein contained shall effect or be construed to effect any assessment for benefits, award of damages, appeal, suit, action or proceeding whatsoever under or in relation to any improvement ordinance in any case in which before this act takes effect any assessment for benefits or any award of damages has been certified or reported or any appeal taken or suit or action commenced, but in every such case all such proceedings, assessments, awards, appeal, suits and actions taken, commenced or instituted before this act takes effect shall be valid, binding and effectual, and shall be prosecuted, completed and brought to a conclusion in accordance with the provisions of the act which this act amends as the same were effective before this act takes effect.

Former ac-  
tions not  
impaired by  
this act.

Approved April 8, 1921.

## CHAPTER 196.

An Act to amend an act entitled "An act to regulate elections (Revision 1920)," passed May fifth, one thousand nine hundred and twenty.

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

Sec. 1, Art. I,  
amended.

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

Definition of Terms.

Definitions.

I. For the purpose of this act the following words and terms shall be deemed and taken to have the meanings herein given to them:

(a) Election—The procedure whereby the electors of this State or any political subdivision thereof elect persons to fill public office or pass on public questions.

(b) General Election—The annual election at which members of the General Assembly are voted for.

(c) Primary Election—The procedure whereby the members of a political party in this State or any political subdivision thereof nominate candidates to be voted for at elections, or elect persons to fill party offices, or delegates and alternates to national conventions.

(d) Municipal Election—An election to be held in and for a single municipality only, at regular intervals.

(e) Special Election—An election which is not provided for by law to be held at stated intervals.

(f) Any election—The term "any election" as used in this act shall include all primary, general, municipal and special elections, as defined herein.

(g) Municipality—Any city, town, borough, village or township.

(h) Public Office—Any office in the government of this State or any of its political subdivisions now or hereafter filled at elections by the electors of such State or political subdivision.

(i) Public Question—Any question, proposition or referendum now or hereafter required by the legislative or governing body of this State or any of its political subdivisions to be submitted by referendum procedure to the voters of such State or political subdivision for decision at elections.

(j) Political Party—A political party within the meaning of this act shall be a party which, at the election for members of the General Assembly next preceding the holding of any primary election held pursuant to this act, polled for members of the General Assembly at least ten per centum of the total vote cast in the State.

(k) Party Office—Any delegate or alternate to the national convention of a political party or any member of the State, county or municipal committees of said political party.

(l) Masculine Pronoun—Wherever the masculine pronoun appears in this act it shall be construed to include the feminine.

2. Section two, Article III, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows: Sec. 2, Art. III, amended.

Public Offices and Public Questions decided at General and Special Elections.

2. All public offices in this State or any of its political subdivisions shall be filled and all public questions to be voted upon shall be decided at the general elections as hereinafter provided. All vacancies in said public offices, except where otherwise provided for by existing statutes, shall be filled and all public questions shall be decided at the general election, or at such special elections held for that purpose, unless otherwise provided for in this act. Filling offices.  
Vacancies.

3. Section one, Article IV, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows: Sec. 1, Art. IV, amended.

Qualifications.

1. Every person possessing the qualifications required by the Nineteenth Amendment to the Constitution of the United States and Article II, Section one of the constitution of the State of New Jersey and having Who may vote.

Proviso. none of the disqualifications mentioned therein, and being duly registered as required by this act, shall be entitled to vote in the polling place assigned to the election district in which he actually resides, and not elsewhere; *provided, however*, that a person, who will have, on the day of general election, the qualifications to entitle him to vote shall have the right to be registered for and vote at the primary election and register for and vote at the general election, the same as though all qualifications were met before registration for the primary election.

Sec. 3, Art. IV, amended. 4. Section three, Article IV, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Number of Electors to a District.

Election district defined. 3. The term "election district" as herein used shall be construed to mean the territory within which or for which there is a polling place or room for all voters in said territory to cast their ballots at any election. No election district within this State shall contain more than six 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 six hundred as possible; *provided, however*, that election districts in counties having a population of less than sixty thousand inhabitants may contain seven hundred voters; *and provided, further*, that every municipality in counties having a population of less than sixty thousand inhabitants, containing more than seven hundred voters and less than twelve hundred voters, shall be divided into two election districts, each district having as nearly as possible the same number of voters, and the county board of elections or the governing body, as the case may be, having regard for the convenience of the voters of such municipality, shall select a building for use as a polling place in such municipality, which building may be used by the voters of each election district, even though such building be located within one election district.

Proviso.

Proviso.

5. Section four, Article IV, of the Act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 4, Art. IV, amended.

Redistricting.

4. Whenever at any general election, in any election district, over six hundred votes shall have been cast, the county board of elections in counties of the first class and the governing board or body of the municipalities in counties other than counties of the first class except as hereinafter provided, wherein such election district shall lie, shall readjust the boundary lines of such election district and other election districts necessary to effect the change so that none of the election districts affected shall have more than five hundred and fifty registered voters, and for this purpose shall have power to consolidate any number of districts and subdivide the same and in redistricting the election districts in counties having a population of less than sixty thousand, which as heretofore provided may contain seven hundred voters, a like procedure shall be followed; *provided*, that in every division, change or readjustment the geographical compactness of each district shall be maintained as nearly rectangular as possible and the lines of such district shall not extend beyond the boundary lines of the ward in the municipality or of the municipality, as the case may be, in which such district is located; *provided, further*, that it shall not be lawful for such board or governing body to make division of any election district between the twentieth day of April and the day of the general election in any year; *provided, further*, that it shall be lawful to make said division of election districts between the twentieth day of April and the first day of June in the year one thousand nine hundred and twenty-one. The preparation of the signature copy registers, registers of voters and the polling books of the preceding general election if made necessary for any purpose by reason of redistricting of the election districts, as aforesaid, shall be done by the county boards of election in counties of the first class and by the municipal clerks in counties other than counties of the first class.

When election district divided.

Proviso.

Proviso.

Proviso.

Preparation of registers, etc.

Sec. 5, Art.  
IV, amended.

6. Section five, Article IV, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

County and Municipal Clerks to Transmit Registers and Poll Books to the County Board of Elections or Governing Body.

Transmit reg-  
istry books.

5. The county board of elections in counties of the first class and the governing board or body of the municipalities in counties other than counties of the first class may make application to any justice of the Supreme Court, judge of the Court of Common Pleas or the Circuit Court judge holding the Circuit Court in the county in which said county board of elections or municipality is situated, for an order directing the county clerk of such county or the municipal clerk of such municipality to transmit to such county board of elections or governing board or body, as the case may be, the registry books or poll books of any election district in his county or municipality if necessary for the purpose of such redistricting, which order shall direct the time within such registry books or poll books shall be returned to such county or municipal clerk.

Sec. 6, Art.  
IV, amended.

7. Section six, Article IV, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Readjusted Districts to be Recorded.

Description  
of boundaries  
filed.

6. Whenever any readjustment of the boundaries of an election district has been made, the county board of elections, or the governing board or body, as the case may be, making such readjustment shall immediately cause a description of the boundaries of such readjusted district to be filed in the county clerk's office and a duplicate thereof in the office of the clerk of the municipality wherein such readjustment has been made.

Sec. 1, Art.  
V, amended.

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

Powers.

Party rights.

1. A political party may nominate candidates for public office at primary elections provided for in this act, elect committees for the party within the State, county

or municipality, as the case may be, and in every other respect may exercise the rights and shall be subject to the restrictions herein provided for political parties; *provided, however,* that no political party which shall fail to poll at any primary election for a general election at least ten per centum of the votes cast in the State for members of the General Assembly at the next preceding general election shall be entitled to have a party column on the official ballot at the general election for which the primary election has been held, but that the names of the candidates so nominated at the primary election shall be printed in the column or columns designated "Nomination by Petition" on the official ballot under the respective titles of office for which the nominations have been made, followed by the designation of the political party of which the candidates are members.

Proviso.

Right to party column.

9. Section two, Article VI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 2, Art. VI, amended.

#### Applications for Service.

2. Any legal voter may make application for service as a member of a district board of registry and election of the municipality in which he or she resides. Any such voter shall send his or her name and address to the county board of elections on a blank form to be prepared for that purpose by such board. On such form, such person shall state the political party to which he or she belongs.

Volunteering for election duty.

10. Section three, Article VI, of the Act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 3, Art. VI, amended.

#### List of Eligibles.

3. The names of the persons so applying as aforesaid shall be placed by said county board of elections on the eligible list for members of district boards of registry and election in the municipalities for which they shall have respectively applied. The county board of elections may also place on the eligible list as aforesaid the names of any legal voters of the county in which said board is situated.

Eligible list.

Sec. 4, Art. VI, amended. 11. Section four, Article VI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Appointment of Members.

Members selected. 4. From the eligible list for each municipality in said county, prepared in the manner above stated, such county board of elections shall, on or before the fifteenth day of August, appoint the members of the district boards of registry and election; *provided*, that members of any district board of registry and election shall be equally apportioned among each of the two political parties which at the last preceding general election cast the largest and next largest number of votes respectively in this State for members of the General Assembly; *provided*, that in case the county board of elections shall neglect or refuse to select, appoint and certify the members of the district boards of registry and election, as herein provided, the Court of Common Pleas shall, between the twentieth day of August and the first day of September in each year, make such appointments and certifications.

Proviso.

Proviso.

Sec. 9, Art. VI, amended. 12. Section nine, Article VI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Attendance. 9. Every person so assigned shall attend at the times and places now or hereafter fixed by law or by the County Board of Elections for the performance of any duty now or hereafter required of any member of a district board of registry and election.

Sec. 17, Art. VI, amended. 13. Section seventeen, Article VI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Composition.

County board of elections. 17. The county board of elections shall consist of four persons, who shall be legal voters of the counties for which they are respectively appointed. Two members of such county board shall be members of the political party which at the last preceding general election cast the largest number of votes in this State for members of the General Assembly, and the remaining two members of such board shall be members of the

Members.

political party which at said election cast the next largest number of votes in the State for members of the General Assembly. In all counties of the first class said county board of elections shall appoint some suitable person clerk of such board, and may also appoint not more than two assistant clerks and one clerk-stenographer, all of whom shall be appointed from the competitive class of civil service; *provided, however,* that all persons holding such positions as clerk, assistant clerks and clerk-stenographer of such county board of elections at the time of the adoption of this act shall continue to hold said positions and shall be classified in said competitive class of civil service.

Clerks to boards.

Proviso.

14. Section eighteen, Article VI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 18, Art. VI, amended.

#### Appointment and Term of Office.

18. The chairman of the State committee of each of the two political parties as aforesaid, shall, during the month of May, in writing, nominate two persons residing in each county, qualified as aforesaid for members of the county board of elections in and for such county; and if nomination be made in said month of May the Governor shall commission such appointees on or before the first day of July; *provided,* that two of such appointees, who shall be members of opposite parties, shall be commissioned for the term of one year from the first day of July next and the remaining members shall be appointed for the term of two years from the first day of July next; and thereafter one member of such board shall be nominated annually by each of said chairmen, in the same manner, in the month of May, and shall be commissioned by the Governor as aforesaid, and shall continue in office for two years from the first day of July next after their appointment. The terms of office of all members now holding office which terminate on the first day of August, one thousand nine hundred and twenty-one, shall terminate on the first day of July, one thousand nine hundred and twenty-one. The terms of office of all members now holding office which terminate on the first day of

Selection of members of county boards of elections.

Proviso.

Name one annually.

Terms expire.

August, one thousand nine hundred and twenty-two, shall terminate on the first day of July, one thousand nine hundred and twenty-two.

Sec. 20, Art. VI, amended.

15. Section twenty, Article VI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Appointment in Case No Nomination by State Chairman.

If no nominations, Governor to act.

20. If in any case the State chairman shall fail to send in writing to the Governor nominations for appointments within the time specified, as aforesaid, the Governor shall make such appointments of his own selection from the citizens of the county in which such failure shall occur.

Sec. 21, Art. VI, amended.

16. Section twenty-one, Article VI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Office of the Board.

Offices and equipment.

21. Said county boards of election shall be provided by the board of freeholders of the respective counties with a suitable office, furniture and such other equipment as said county boards of election deem necessary in the court house of the county for which they are respectively appointed, or in a building as near as possible adjacent thereto. The county board of elections in counties of the first class shall have power to purchase office equipment, books, stationery, materials, supplies and other articles or equipment necessary in the judgment of said board, to carry out the provisions of the act to which this act is amendatory, and the board of chosen freeholders of the respective counties shall pay for the same upon certification of the county board of elections.

Sec. 22, Art. VI, amended.

17. Section twenty-two, Article VI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Organization.

Organization of county boards.

22. Said county boards of election shall, at ten o'clock in the forenoon, on the first Tuesday in July, or on such other day as they may agree on within the

first ten days of July, in each year, meet at the court house, or other place provided as aforesaid, in their respective counties, and organize by electing one of their number to be chairman and one to be secretary; but the chairman and secretary shall not be members of the same political party. In case of a failure to elect such chairman for three ballots or viva voce votes, then the oldest (in years) of such board shall be the chairman thereof, and on failure to elect such secretary for three ballots or viva voce votes, the member of the board next oldest (in years) shall be secretary of such board; *provided*, that the chairman and secretary shall not be members of the same political party. Said board shall have power in its discretion to hold their meetings for any purpose, except organization, in any part of their respective counties.

Chairman.

Proviso.

18. Section twenty-three, Article VI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 23, Art. VI, amended.

Oath of Office.

23. The members of said county boards of election shall, before entering upon the performance of their duties, severally take and subscribe an oath or affirmation, in writing, before the clerk of the county for which they are appointed, faithfully and impartially to discharge all their duties as such officers, to the best of their skill and ability; which oath or affirmation shall be forthwith recorded in the office of the county clerk, and after qualification as aforesaid, any member of either of said board may, at any meeting thereof, administer any oath or affirmation required or permitted to be taken by this act.

Oath.

19. Section twenty-four, Article VI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 24, Art. VI, amended.

Powers and Duties.

24. Wherever, under the sections of this act any powers or duties are given or conferred upon the county boards of elections in counties of the first class, said county board may, under its supervision if it so determines, authorize or direct the clerk thereof to perform

Duties performed by clerks in counties of first class.

Temporary  
appointees.

such duties and exercise such powers. The county board of elections in counties of the first class shall have power to appoint temporarily a sufficient number of persons as in its judgment may be necessary for the purpose of carrying out the provisions of the act to which this act is an amendment, such persons when temporarily appointed shall not be subject to any of the provisions of chapter 156 of the Laws of 1908, and the amendments thereto, but shall be in the unclassified service, and all necessary expenses incurred thereby, certified and approved by said county board of elections, shall be paid by the county treasurer of said county.

Sec. 29, Art.  
VI, amended.

19a. Section twenty-nine, Article VI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Power to Maintain Regularity and Order.

Power to en-  
force auth-  
ority.

29. The district board of registry and election in each election district, the county board of election and the clerk thereof, the board of county canvassers and the board of State canvassers and the Court of Common Pleas shall, respectively, possess full power and authority to direct the police on duty to maintain regularity and order, and to enforce obedience to their lawful commands during their sessions respectively; and if any person shall refuse to obey the lawful command of any such board, or by disorderly conduct in their hearing or presence shall interrupt or disturb their proceedings, they may by an order in writing, signed by the chairman and attested by the clerk of such board, commit the person so offending to the common jail of the county in which they shall have met, for a period not exceeding three days, and such order shall be executed by any sheriff or constable to whom the same shall be delivered; or if a sheriff or constable shall not be present or shall refuse to act, by any other person who shall be deputed by such board in writing, and the keeper of such jail shall receive the person so committed, and safely keep him for such time as shall be mentioned in the commitment.

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

Sec. 1, Art. VII, amended.

Appointment by Chairman of County Committee.

1. The chairman of the county committee of any political party that has duly nominated any candidate for public office to be voted for at any election by all the voters within said county or said political division thereof greater than a single municipality, or where the election is within and for a single municipality only, or any subdivision thereof, then the chairman of the municipal or ward committee of the political party making such nomination within and for such single municipality, or such division thereof, may appoint two agents for each election district in his county, municipality, or ward, as the case may be.

Election agents.

21. Section two, Article VII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 2, Art. VII, amended.

Appointment by Candidates.

2. Any candidate who has filed a petition for any office to be voted for at the primary election, and any candidate, for any office, whose name may appear upon the ballot to be used in any election, may also act as an agent as herein provided and may likewise appoint two agents for each district; *provided, however,* that only two agents shall be allowed for each election district to represent all the candidates nominated in and by the same petition or group of petitioners. The appointment of agents shall be made in writing under the hand of the person making the appointment, and shall specify the names and residences of the agents and the election districts for which they are severally appointed.

Candidate as agent.

Proviso.

Appointments.

22. Section six, Article VII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 6, Art. VII, amended.

Badge to be Worn by Agents.

6. Every such challenger and agent shall at any election wear a badge, to be furnished by the county board of elections, which shall show to any other person the

Badge worn at election.

political party or candidate or group of candidates for whom such challenger or agent is acting.

Sec. 2,  
Art. VIII,  
amended.

23. Section two, Article VIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows :

Tentative List of Available Places.

Polling places  
suggested.

Selection.

Proviso.

Proviso.

2. It shall be the duty of the clerk of every municipality to send to the county board of elections of every county wherein such municipality is located before the first day of July in each year, a suggested list of places in said municipality suitable for polling places. The said county board of elections shall select the polling places for each election district in said municipalities of said county; *provided*, that no place shall be suggested by said municipal clerks or chosen by said county boards of election as a polling place in any building in which is located or maintained any inn or tavern or saloon where intoxicating liquors are licensed to be sold; *and provided, further*, that said county board of elections shall not be obliged to select the polling places so suggested by the municipal clerks, but may choose others where they deem it expedient.

Sec. 3,  
Art. VIII,  
amended.

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

Use of Schoolhouses and Public Buildings.

Schoolhouses  
as polling  
places.

Other lo-  
cations.

3. The county board of elections may select the schoolhouse or schoolhouses, public building or public buildings as the polling places in any municipality in said county whether or not such schoolhouses or public buildings are located within the election district for which such polling place is established; and shall designate the rooms or places, entrances and exits to be used in such schoolhouses or public buildings; and that the county board of election may, in its discretion, select a polling place other than a schoolhouse or public building for any election district, when the location of such election district and of the schoolhouses and public buildings in the municipality in which such election district is located is such that inconvenience would be caused the voters of such election district by locating the polling

place thereof in a schoolhouse or public building. The county board of elections shall determine and certify to the board of chosen freeholders the amount to be paid the several boards of education or municipalities, as the case may be, for expenses in connection with the use of schoolhouses or public buildings for election purposes; not to exceed in any case the amount paid for polling places in private premises.

Fixing ex-  
penses.

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

Sec. 4,  
Art. VIII,  
amended.

County Board of Elections to Certify Selected Places  
for Sheriff.

4. Said county board of elections before the twentieth day of August each year shall certify a list of the polling places so selected to the sheriff and to the clerk of the county and municipal clerk.

List of poll-  
ing places  
certified.

26. Section five, Article VIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 5,  
Art. VIII,  
amended.

Display of American Flag.

5. An American flag, approximately three feet by five feet in size, shall be displayed at the outside entrance of each polling place in this State by the boards of registry and election during the hours when the said boards are in session. Such flag shall be furnished by the clerk of the county and delivered to the municipal clerks for distribution.

Flag dis-  
played at  
polls.

27. Section six, Article VIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 6,  
Art. VIII,  
amended.

Ballot-boxes—How Provided and Repaired.

6. The county board of elections in counties of the first class and the board of chosen freeholders in counties other than counties of the first class shall at all times provide and keep in good repair sufficient ballot-boxes for use in the polling places of each election district within said county.

Providing  
ballot boxes.

28. Section seven, Article VIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 7,  
Art. VIII,  
amended.

## Description.

Description  
of ballot boxes.

7. Said boxes shall be at least one foot in depth, width and length, measuring the same on the exterior thereof, and shall be constructed with wooden tops and bottoms and wooden frames and glass sides. Each box shall be provided with a door at least six inches square on the top of the box, which shall be secured by not less than three locks, no two keys of which shall be alike, and shall have an aperture measuring at least three (3) inches by one-half inch and not more than four inches long by three-quarters of an inch wide for the reception of the ballots, and a device which will close said aperture when the election is over or when the box is not in use, which device shall be so constructed that it cannot be operated without first opening the door of the box. Said box shall have no stamping or marking devices.

Sec. 8,  
Art. VIII,  
amended.

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

## Enumeration.

Polling places  
properly fur-  
nished.

8. The county boards of election in counties of the first class and the municipal clerks in counties other than counties of the first class shall purchase or lease and furnish the proper equipment of polling places, to enable the district boards of registry and election to carry out the duties imposed upon them by this act. Said equipment shall consist of tables, chairs, lights, booths and all other things necessary for the performance of said duties, and shall be ready for use by said district boards of registry and election in ample time to enable them to perform said duties. The county board of elections in counties of the first class and the board of chosen freeholders in counties other than counties of the first class shall cause the booths, ballot-boxes and other necessary equipment to be delivered to the municipal clerks in time for distribution to the respective election districts.

By whom  
supplied.

The clerks of the several municipalities shall keep and preserve and deliver the polling booths, ballot boxes and other equipment in time for use by said district boards of registry and elections at the cost and expense of such municipality.

In case of any election to be held in a municipality only the duties now imposed upon the county boards of election in counties of the first class, shall devolve upon the clerk of the municipality wherein such election is to be held; any equipment in possession of the county board of elections may be used in a municipal election upon requisition.

Equipment  
in municipal  
elections.

30. Section ten, Article VIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 10,  
Art. VIII,  
amended.

Number of Booths.

10. The number of such booths shall not be less than one for every one hundred persons so registered in such district for the general election and not less than two such booths shall be provided in any polling place.

Number of  
booths.

31. Section two, Article IX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 2, Art.  
IX, amended.

Preparation of Books, Blank Forms, Et Cetera.

2. Pamphlets of the election laws and instructions; precinct returns; electors of President and Vice-President; United States Senator; Member of the House of Representatives; Governor; State Senator; Assembly and county officers; justice of the peace; public questions submitted to the voters of the entire State; self addressed envelopes plain and stamped to each district; returns for the county board of canvassers for the above officers; affidavits for registering voters that are absent from the county; primary return sheets, and the following books and lists: In municipalities exceeding fifteen thousand population, primary election registry books, party primary poll books, signature copy registers, general election poll books, general election registry lists: In municipalities of fifteen thousand population or less, primary election registry books, party primary poll books, canvassing books, registers of voters, general election poll books, general election registry lists; shall be prepared and distributed by the Secretary of State on or before the first day of August prior to the primary election for the general election and the general election. Upon the covers of each of said books shall be

Preparation  
and furnish-  
ing supplies.

By Secretary  
of State.

- printed in conspicuous type such instructions to election officers regarding the use and disposition of such books by election officials as the Secretary of State shall deem necessary. All other books, blank forms, stationery and supplies for the primary election for the general election, the primary election for delegates and alternates to national conventions and the general election shall be prepared and distributed by the clerks of the various counties; *provided, however*, that all books, blank forms, stationery and supplies necessary to be furnished by the county boards of elections shall be prepared by such county boards of elections. The county board of elections in counties of the first class and the municipal clerks in counties other than counties of the first class shall deliver to the county clerk, county board of elections and the district boards of registry and election a map or description of the district lines of their district, together with the streets and house numbers in said districts.
- By county clerks.
- Proviso.
- Map or description of district lines.
- Sec. 5, Art. IX, amended.
32. Section five, Article IX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:
- Distribution of Supplies by Municipal Clerks.
- Distribution by municipal clerk.
5. In all cases where supplies are delivered by the county clerk or the county board of elections to the municipal clerk for distribution, said municipal clerk shall deliver the same at his office, or in any other way that he sees fit, to a member of the district board of registry and election, and take a proper receipt therefor and file the same in his office.
- Sec. 1, Art. X, amended.
33. Section one, Article X, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:
- Secretary of State to County Clerks.
- Certifying party vote.
1. The Secretary of State shall within thirty days after the completion of the canvass by the Board of State Canvassers, certify to each county clerk and county board of elections the fact that at the next preceding general election, ten per centum of the total vote cast in the State for members of the General Assembly had been cast for candidates having the same

designation thereby creating, within the meaning of this act, a political party, to be known and recognized as such under the same designation as used by the candidates for whom the required number of votes were cast. He shall also, between the fifteenth day of July and the first day of August, in every year wherein electors of President and Vice-President of the United States, a representative of the United States Senate, members of the House of Representatives, a Governor, or Senator for any county, or any of them, are to be elected or any public question to be submitted to the voters of the entire State, direct and cause to be delivered to the clerk of the county and the county board of elections wherein any such election is to be held, a notice stating that such officer or officers are to be elected and that such public question is to be submitted to the voters of the entire State at the ensuing general election.

Notice that certain officers are to be elected.

34. Section two, Article X, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 2, Art. X, amended.

County Clerks to Municipal Clerks.

2. The clerk of such county shall immediately upon the receipt of the certificate from the Secretary of State, setting forth that a political party has been created forward a certified copy of said certificate to each municipal clerk of his county. He shall also between the first day of August and the first day of September, cause a copy of the notice received from the Secretary of State of the officer or officers to be elected at the ensuing general election, certified under his hand to be true and correct, to be delivered to the clerk of each municipality in said county. The Secretary of State shall on or before the first day of August certify to the municipal clerk of the respective municipalities the number of justices of the peace to be elected for full terms or to fill vacancies in said municipalities at the next succeeding general election.

Certification by county clerks to municipal clerks.

Notice of justices of peace to be elected.

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

Sec. 4, Art. X, amended.

## Municipal Clerks to County Clerks.

Statement of  
offices to be  
filled.

4. It shall be the duty of all municipal clerks, on or before the first day of September, to make and to certify under their hands and seals of office and forward to the clerk of the county in which such municipality is located a statement, designating the public offices which are to be filled at such election, and the number of persons to be voted for each office. In counties of the first class said statement shall also be forwarded to the county board of elections.

Sec. 5, Art.  
X, amended.

36. Section five, Article X, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

## Prior to General Election.

Notice of  
registration  
and primary  
election.

5. The county board of elections in counties of the first class shall cause to be published in not more than two newspapers of the county, as the county board of elections shall select, once in each week preceding each registration day and the primary election for the general election and once in each week preceding the general election, a notice setting forth that the district boards of registry and election in each election district in each municipality will meet for the purpose of making a registration of voters on the days and between the hours hereinafter designated for that purpose, that a primary for making nominations for the general election will be held on the day and between the hours and at the places as provided in this act, and also making known the time, place and purpose of holding the general election thereafter, and the office or offices to be nominated or filled at such primary, and the office or offices to be filled at such general election. The notice above referred to shall also be published by the county board of elections in counties of the first class in at least one but not more than two newspapers in each municipality in such county, wherein a newspaper is published, excepting in municipalities wherein are located the newspapers which have been selected by the county board of election to publish the general notice hereinabove referred to, excepting that any portion of said notice referring particularly to other municipalities in said county shall be eliminated from said notice; *pro-*

Notice pub-  
lished.

Proviso.

*vided, however*, that in all municipalities in which no newspaper is printed or published, such notice shall be published for such municipality in at least one but not more than two newspapers circulating in such municipality; *provided, further*, that such part of the original notices as published which pertain to a day of registration or primary election which has occurred shall be eliminated from said notices in succeeding insertions. Proviso.

The municipal clerks in counties other than counties of the first class shall cause to be published in at least one but not more than two newspapers printed or published in their respective municipalities within said county, once each week preceding each registration day and the primary election for the general election and once each week preceding the general election, a notice setting forth that the district boards of registry and election of each election district in such municipality will meet for the purpose of making a registration of voters on the days and between the hours hereinafter designated for that purpose, that a primary for making nominations for the general election will be held on the day and between the hours and at the places as provided in this act, and also making known the time, place and purpose of holding the general election thereafter, and the office or offices to be nominated or filled at such primary and the office or offices to be filled at such general election; *provided, however*, that in all municipalities in which no newspaper is printed or published, such notice shall be published for such municipality in at least one but not more than two newspapers circulating in such municipality; *provided, further*, that such part of the original notice as published which pertains to a day of registration or primary election which has occurred shall be eliminated from said notice in succeeding insertions. Proviso.

The cost of the publishing of said notices by the county boards of election in counties of the first class shall be paid by the respective counties, and the cost of the publishing of said notices by the municipal clerks in counties other than counties of the first class shall be paid by the respective municipalities. Costs.

Notice of  
sittings of  
board.

Sec. 6, Art.  
X, amended.

37. Section six, Article X, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Regulations as to Publication.

Boundaries  
of election  
districts  
published.

6. In municipalities wherein there is more than one district the notice required in section five, this article, shall include a short description of the boundary lines of each election district therein, and the place of meeting of the district board of registry and election for said district.

Sec. 7, Art.  
X, repealed.

38. Section seven, Article X, of the act to which this act is an amendment be and the same is hereby repealed together with its caption

Sec. 1, Art.  
XI, amended.

38a. Section one, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Time and Place.

Registry  
days.

1. In all municipalities having a population exceeding fifteen thousand as ascertained by the last Federal census, there shall be three days upon which the members of the district boards of registry and election of said municipalities shall meet in the election districts assigned to them for the purpose of preparing registers of the residents of said election districts entitled to vote at the next succeeding general election. The first registration day shall be on the second Tuesday of September of each year between the hours of one P. M. and nine P. M. The second registration day shall be on the fourth Tuesday of September of each year between the hours of 7 A. M. and nine P. M. The third registration day shall be on the Tuesday three weeks next preceding the general election between the hours of one P. M. and nine P. M.

Sec. 2, Art.  
XI, amended.

39. Section two, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Registry Books.

Personal  
registration.

2. During each of said three registrations for the general election the members of each district board of registry and election shall enter in the registry books provided for the purpose the information required

herein for each resident of the election district to which they are assigned, who shall appear before them in person and claim the right of registration in said election district for the next ensuing general election. Said registry books shall be made up in two volumes for each election district, to be known as Volume Number One and Volume Number Two, and shall be used by the members of the district board of registry and election so that part of the registration shall be entered in one volume and the remaining part shall be entered in the other volume, the object being to divide the work of registering the voters in the signature copy registers into two parts, as nearly equal as possible, so that more than one voter can be registered at the same time. Said registry books shall be arranged in at least ten columns, and the leaves thereof indexed alphabetically according to surnames. Volume I shall be indexed alphabetically beginning with the letter "A" and ending with the letter "K" and Volume II in a like manner beginning with the letter "L" and ending with the letter "Z." The lines thereof shall be one-half inch apart and the pages of said registers shall be consecutively numbered beginning with the first page in Volume I and continuing through to the last page of Volume II.

Two registry books.

Arrangement in columns.

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

Sec. 3, Art. XI, amended.

#### Information Required.

3. The first column of said registers shall be left blank until the completion of registration on the last day when the names of the persons registered shall be numbered consecutively from the first name in Volume Number One to the last name entered in Volume Number Two. In the second column of the page bearing the designation of the letter which shall correspond with the first letter of the surname shall be entered the full name of the claimant, first the surname followed by the Christian name or names; in the case of married women the Christian name of said women shall be entered prefixed by the word "Mrs.;" in the case of single women the Christian name shall be prefixed by the word

Information required from registrants.

"Miss"; in the third column shall be entered the number or other designation of his residence; in the fourth column shall be entered the name of the street or avenue of his residence, or a brief description of the locality thereof; in the fifth column shall be stated the fact that he is over twenty-one years of age, that he is a citizen of the State of New Jersey and of the United States, that he has resided in the State of New Jersey for at least one year and in the county at least five months immediately preceding the general election for which he is registering, all of which shall be indicated by the word "Yes"; in the sixth column shall be entered the name of the municipality and the house number and street in such municipality from which he voted at the last preceding general election; in the seventh column shall be entered the fact as to whether he is a native born citizen or a citizen by naturalization; in the eighth column shall be entered his occupation; in the ninth column shall be entered the number of the ballot voted at the general election.

Sec. 4, Art.  
XI, amended.

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

Signature of Registrant.

Register  
signed.

4. The tenth column shall be reserved for the signature of such claimant at the time of registration, or in case he alleges his inability to write, for entering therein the number of the "identification statement", made by him as hereinafter provided. Above each horizontal line in the said tenth column shall be printed the words "the foregoing statements are true," and such claimant shall, at the time of registration (unless he is unable to write as hereinafter provided), sign his own name by his own hand and without assistance, using black ink, below such words on the horizontal line on the register.

Sec. 7, Art.  
XI, amended.

42. Section seven, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

How Taken.

Legal affi-  
davit.

7. Said affidavit shall be taken before some person legally authorized to take affidavits.

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

Sec. 8, Art. XI, amended.

**Filing.**

8. Such affidavit shall be filed with the county board of elections of the county in which such voter is entitled to vote, not later than seven days after the last registry day; and such county board of elections on the receipt thereof shall endorse upon said affidavit a number showing the order of its receipt by said board, and shall thereupon enter the name of such voter on the proper register 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 tenth column of said signature copy register instead of the signature of such voter, the words "affidavit No. . . .," giving the number endorsed on said affidavit. Such affidavit shall be attached to the inside of back cover of said signature copy register on which the county board of elections has entered his name, and shall be used on election day as hereinafter provided.

Affidavit filed with county board.

Proper entry in register.

Affidavit attached.

44. Section ten, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 10, Art. XI, amended.

**Certificates of Registration.**

10. The aforesaid signature copy register, Volume I and II, shall each contain three certificates in each volume to be known as "Certificates of Registration".

Three certificates in each book.

A. The certificates of registration in Volume I and II to be made out at the close of the first day of registration shall be arranged to give the following information. The name of the county and municipality, the ward number and the election district number wherein the registration is being held; the total number of names registered in said volume on the first day of registration; the certificate of the board of registry and election, and shall have printed thereon "to be filled out at the close of the first day of registration." The signature copy register known as Volume II shall contain, in addition to the above information, the number of

Certificates made on first day.

names registered in Volume I on the first day of registration, and the addition of the total number of names registered in both Volumes I and II on the first day of registration.

Certificates  
made on  
second day.

B. The certificate of registration to be made out at the close of the second day of registration in Volumes I and II shall be arranged to give the following information: The name of the county and municipality, the ward number and the election district number wherein the registration is being held; the total number of names in said volume of the "signature copy register" at the close of the second day of registration; the certificate of the board of registry and election, and shall have printed thereon "to be filled out at the close of the second day of registration." The signature copy register known as Volume II shall contain, in addition to the above information, the number of names registered in Volume I on the second day of registration, the addition of the total number of names registered in both Volumes I and II on the second day of registration; the addition of the total of the number of names registered in both Volumes I and II on the first days of registration and the addition showing the total number of names registered in both Volumes I and II on the first and second days of registration.

Certificates  
made on  
third day.

C. The certificate of registration to be made out at the close of the third day of registration in Volumes I and II shall be arranged to give the following information: The name of the county and municipality, the ward number and the election district number wherein the registration is being held; the total number of names in said volume of the "signature copy register" at the close of the third day of registration; the certificate of the board of registry and election, and shall have printed thereon "to be filled out at the close of the third day of registration." The signature copy register known as Volume II shall contain, in addition to the above information, the number of names registered in Volume I on the third day of registration, the addition of the total number of names registered in both Volumes I and II on the third day of registration; the addition of the total number of names registered

in both Volumes I and II on the second day of registration; the addition of the total number of names registered in both Volumes I and II on the first day of registration and the addition showing the grand total of the number of names registered in both Volumes I and II on the first, second and third days of registration.

At the close of each day of registration the district board of registry and election shall make out the proper certificate of registration in each volume of the "signature copy register," and shall certify over their signatures on said certificate of registration that the statements therein are true and correct. At the close of each day of registration the district board of registry and election shall draw a line in black ink immediately below the last name on each page in both Volumes I and II.

Certificate signed by election board.

45. Section eleven, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 11, Art. XI, amended.

Registrants Numbered.

11. In the first column of each volume of said "signature copy 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 number "one" opposite the first name entered upon the first page of Volume I, and continuing in numerical order to and including the last name entered upon the last page of Volume II of said "signature copy register."

Registrants numbered.

46. Section thirteen, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 13, Art. XI, amended.

Use of Registry Lists.

13. The county clerk shall forthwith cause copies of said registry lists to be printed in hand-bill form, and shall furnish to any voter applying for the same copies of said registry lists, charging therefor twenty-five cents per copy; he shall also furnish five printed copies thereof to the respective district boards of registry and election; said board shall post two said registry lists, one in the polling place and one in another conspicuous

Printed lists prepared, posted, etc.

Investigation  
by police.

place within such election district. Said county clerk shall also forthwith deliver to the chief of police and the municipal clerk of each of the municipalities in the county, and the county board of elections, not less than five copies of the lists of voters of each election district in such municipalities. The said chief of police shall cause an investigation to be made of the names of the persons so appearing on said lists, to ascertain if the said persons are residents of the houses from which they are registered, and shall not later than five days after receipt of same from the county clerk forward the various reports of such investigation, certified by the chief of police, to the county board of elections, where they shall be kept open to public inspection. Said county clerk after causing copies of said registry lists to be printed shall forthwith file the original registry lists with the county board of elections.

Sec. 14, Art.  
XI, amended.

47. Section fourteen, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

#### Custody Until Election.

Custody of  
signature  
register.

14. Said signature copy register shall be signed and certified by said district board of registry and election as hereinbefore provided and used at the polls on election day as hereinafter provided. The signature copy register Volumes I and II shall, not later than the day following the last registry day, be filed by said district board of registry and elections with the county board of elections, who shall make use of and return same to the district board of registry and elections in time to be used on general election day.

Sec. 15, Art.  
XI, amended.

47a. Section fifteen, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

#### Canvassing Procedure.

House to  
house canvass.

15. The district boards of registry and election in all election districts in the State, outside of the municipalities having a population exceeding fifteen thousand, as fixed by this act, shall meet annually on the second Tuesday of September in each year, and having first organized, shall proceed to ascertain and truly and ac-

curately enter in canvassing books, to be provided for that purpose, the names and residences and street number, if any, of all legal voters residing within their respective election districts entitled to vote therein at the next ensuing general election by making actual inquiry at every dwelling house or habitation, or of the head of every family residing therein, entering in the case of a female voter her own Christian name with the title "Miss" or "Mrs.," as the case may be. In making such enumeration the said district boards of registry and election may divide their election districts into subdivisions, and any two of their number, designated by the chairman and inspector, together and in company, may make the enumeration in such subdivision. The name of every such voter, as aforesaid, whose place of abode shall be in any family or habitation, or who may be casually or temporarily absent therefrom when such enumeration is made, shall be entered in said canvassing-books, but no name shall be entered on such canvassing-books without the concurrence of both of said members, or if said enumeration be made by the entire board, without the concurrence of a majority thereof. Said board shall continue such enumeration of voters from day to day thereafter, on successive days, until the same be completed; *provided*, that such enumeration shall terminate on or before the Friday next succeeding. Immediately after the completion of such enumeration the district board of registry and election shall transcribe and make up from his canvassing-books three registers of voters for use at the general election, arranged alphabetically according to surnames, and adding information as to the residences and street numbers, if any, of all persons in their respective election districts entitled to the right of suffrage therein at the next general election. At the same time a correct list of the names entered on said registers of voters with residence and street numbers, if any, to be known as the general election registry list, shall be prepared and certified by the district board of registry and election in handbill form, and shall be posted in some conspicuous public place within such election district on or before the fol-

Work divided.

Absentees.

Canvassing days.

Proviso.

Three registers prepared.

List made and posted.

Canvassing  
books filed  
with county  
board.

lowing Tuesday. The canvassing-books duly certified and signed by the district board of registry and election as to their correctness, and the fact that a house-to-house canvass has actually been made, shall be filed with the county board of election on or before the following Tuesday.

Sec. 17, Art.  
XI, amended.

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

Adding Names to General Election Registry List on Second Registry Day.

Names tran-  
scribed.

17. On the day succeeding the second registration day the district board of registry and election shall transcribe from the registers of voters to the general election registry lists the names of all those who personally appear before such board together with the names of those who were registered by affidavit, either by their own affidavit or the affidavit of another voter of the same municipality and shall certify to the number of names so added, and in counties of the first class to the prosecutor of the pleas.

Sec. 19, Art.  
XI, amended.

48a. Section nineteen, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Third Registration Day.

Names tran-  
scribed on  
third day.

19. At the close of the third registration day the district board of registry and election shall transcribe from the registers of voters to the general election registry lists the names of all those who personally appeared before such board, together with the names of those who were registered by affidavit, either by their own affidavit or the affidavit of another voter of the same municipality and shall certify to the number of names so added.

Sec. 22, Art.  
XI, amended.

49. Section twenty-two, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Registers and Issuance of Certificates by County Boards of Elections.

Personal  
registration  
before county  
boards of  
elections.

22. Any legal voter who may have failed to register or whose name has been left off the registry list, may,

on the days and times hereinbefore mentioned, apply in person to the county board of elections for the purpose of having his name placed upon the registry list of the district in which he claims the right to vote; and the said county board of elections, upon such application to them, and upon proper evidence under oath satisfying them that such person is a legal voter entitled to vote at said election, and that he made a reasonable effort to register, and that for some reason other than his own neglect or forgetfulness he failed of registration, shall add his name to the proper register, or grant a certificate as said county board of elections shall determine, which shall give said voter the right to register and vote upon presenting said certificate to the proper district board of registry and election. The county board of elections shall notify the municipal clerk of the municipality of fifteen thousand population, or less, wherein such district lies that such name has been added, and said clerk shall thereupon add said name to the register of voters on file with him.

Notification  
of added  
names.

49a. Section twenty-four, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 24, Art.  
XI, amended.

Removal of Name from Registers Filed with County Board of Elections and Municipal Clerks.

24. Said county board of elections may order stricken from any register the name of any person who shall be shown to the satisfaction of the board, for any cause, not to be entitled to vote at the next general election in the election district wherein he is registered, and said county board shall strike the name of such person from the signature copy register, or register of voters, on file with them; *provided*, that no name shall be stricken or ordered stricken from any such register in the absence of the person to be affected thereby, unless it shall appear to the board by affidavit of some qualified voter that notice has been given such person, either personally or by leaving the same at his assigned place of residence, with some person above the age of fourteen years if such person can be found, and if not a copy of said notice shall be affixed to the outer door of said assigned place of residence, at least two entire days

Striking  
names from  
copy register.

Proviso.

- before such meeting of the board, that at such meeting application would be made to have the name of such registered person stricken from the register, and the grounds on which said application would be based.
- Certificate given. When any name shall be stricken from the register in any election district a certificate of such county board of elections, stating the name stricken off and the cause therefor, and from what election district, shall be given to the person applying to have such name stricken from such register. Said county board of elections shall also notify the municipal clerk of municipalities of fifteen thousand population or less wherein such district lies, of such erasure, and said clerk shall remove said name from the register of voters on file with him.
- Certain clerks notified.
- Sec. 26, Art. XI, amended. 50. Section twenty-six, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:
- Court to sit on election day.
- Time of Meeting.
26. It shall be the duty of the justice of the Supreme Court assigned to hold the Circuit Court, and the judge or judges of the Court of Common Pleas, in each of the several counties of this State, or one of said judges, to sit and hold a Court of Common Pleas at the court house in their respective counties on the day of the primary election for the general election and the day of the general election during the hours the polls are open and on any other election days which said judges may deem necessary.
- Sec. 27, Art. XI, amended. 51. Section twenty-seven, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:
- Registering and voting by order of court.
- Addition of Name to Registers by the Courts.
27. In case any legal voter in any election district has been refused the right to register or vote, or who is not registered, he may, on said election day, apply in person to said court for the purpose of having his name placed upon the register; and the said court, upon such application and upon satisfactory evidence under oath that such person is a legal voter entitled to vote at such election, and that he made a reasonable effort to register, and that for some reason other than his own neglect or

forgetfulness he failed of registration, shall give a certificate under the seal of the court to that effect directing the district board of registry and election to allow said person to register and vote in said district.

51a. Section twenty-eight, Article XI, of the act to which this act is an amendment be and the same is hereby amended to read as follows: Sec. 28, Art. XI, amended.

Removal of Names from the Registry Lists by the Courts.

28. Said courts may order stricken from any register the name of any person who shall be shown to the satisfaction of any of the said courts for any cause not to be entitled to vote at any election in the election district wherein he is registered; *provided*, that no name shall be ordered stricken from any such register in the absence of the person to be affected thereby, unless it shall appear to said court by affidavit of some qualified voter that notice has been given such person either personally or by leaving the same at his assigned place of residence with some person above the age of fourteen years if such person can be found, and if not, a copy of said notice shall be affixed to the outer door of said assigned place of residence, at least two entire days before such session of the court; that at such session application would be made to have the name of such registered person stricken from the register and the grounds on which said application would be based. When any name shall be stricken from any register as aforesaid a certificate under the hand and seal of such court, stating the name ordered stricken from and the cause therefor and from what election district, shall be given to the person applying to have such name stricken from the register. On the delivery of such certificate by the person to whom the same has been granted by said court to the district board of registry and election the name of such person shall be stricken from the register in their possession. Court may strike off names.  
Proviso.  
Certificate issued.

52. Section thirty-two, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows: Sec. 32, Art. XI, amended.

## Transfers Issued by Courts and County Boards of Elections.

Proof of  
removal of  
registrant.

32. No person shall vote at any election in any municipality other than the one in which he is legally registered, unless he shall appear before either the justice of the Supreme Court holding the Circuit Court of said county, the judge or judges of the Court of Common Pleas of said county, one of the judges assigned to hold the Circuit Court of said county, or the county board of elections, at the court house, or at such other place within said county as will be most convenient and accessible to the largest number of voters in said county, as either the said justice, judge or county board of elections, in his or its discretion shall determine, on or prior to the day of any election, and shall make proof under oath to the satisfaction of said justice, judge or county board of elections, that he has moved from the election district in which he is registered, since the day on which he was so registered, and that he has moved into another district in said county where he legally resides, and shall obtain from said justice, judge or county board of elections, an order and transfer sealed with the seal of the county clerk or county board of elections, as the case may be, directing the district board of registry and election of the district from which said voter has moved, to erase his name from the register and directing the district board of registry and election in which said voter now legally resides, to place the name of said voter upon the proper register of the said election district and allow said voter to vote; *provided, however,* that the county board of election may, in its discretion, determine that said transfer shall be made by erasing the name of said voter from the register in which he was registered, and by causing his name to be added, together with his signature where the register so provides, to the proper register in the possession of said county board of elections, instead of by issuing an order or certificate of transfer by said county board of elections, as heretofore mentioned.

Order of  
transfer by  
court.

Proviso.

Sec. 33, Art.  
XI, amended.

53. Section thirty-three, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

## Transfers Issued by Municipal Clerks.

33. Transfers may also be granted on the Saturday and Monday next preceding the day of any elections and on the day of such election by the municipal clerk excepting in such municipalities in counties of the first class which are county seats, to any legal voter who shall make proof under oath to the satisfaction of said municipal clerk, that he has moved from the election district in said municipality in which he is registered since the day on which he was registered, and that he has moved into another district in any municipality within the county in which he now legally resides. Such order and transfer of the municipal clerk shall be sealed with the seal of the municipality in which said transfer and order is granted, directing the district board of registry and election of the district from which said voter has moved, to erase his name from the register and directing the district board of registry and election in which said voter now legally resides, to place the name of said voter upon the proper register of said election district and allow said voter to vote.

Transfers by  
municipal  
clerks.

54. After section thirty-three, Article XI, insert new section to be known as section thirty-four.

Sec. 34, Art.  
XI, added.

## Transfers Issued by District Boards.

34. Transfers may also be granted on primary and general election day by the district boards of registry and election in municipalities having a population of fifteen thousand or less in counties other than counties of the first class, to any legal voter who shall make proof under oath to the satisfaction of said district board of registry and election, that he has moved from the election district in said municipality in which he is registered since the day on which he was registered, and that he has moved into another district in any municipality within the county. Such transfer and order of the district board of registry and election shall be signed by said board or a majority thereof, directing the district board of registry and election of the district in which said voter now legally resides, to place the name of said voter upon the proper register of said election district and allow said voter to vote.

Transfers  
by district  
boards.

Sec. 34, Art.  
XI, amended.

55. Section thirty-four, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Removal of Name by District Board.

Name erased  
from former  
register.

35. Said order and transfer shall be shown to the district board of registry and election from which said voter has moved since he was registered and said board shall thereupon erase his name from said register and sign said transfer.

Sec. 35, Art.  
XI, amended.

56. Section thirty-five, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Addition of Name by Other District Board.

New name  
added by  
district board.

36. Said order and transfer shall be filed by the voter with the district board of registry and election in the election district where said voter legally resides, and said board shall add his name to the register in their possession, and allow said voter to vote.

Sec. 36, Art.  
XI, amended.

57. Section thirty-six, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Changes Made by County Board of Elections and Municipal Clerk.

Copy of  
changes.

37. A copy of said order and transfer of the court shall be sent to the county board of elections of the county wherein such municipality lies and another to the clerk of the municipality, and said county board of elections, and said municipal clerk shall make the changes indicated by said order and transfer in the proper register-books on file with them.

Sec. 37, Art.  
XI, amended.

58. Section thirty-seven, Article XI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Procedure.

Registers in  
new municipi-  
palities.

38. In all newly created municipalities, the registers for the first general election therein shall be made as herein directed, unless otherwise provided by this act or any other act relative thereto.

Sec. 4, Art.  
XII, amended.

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

## Contents of Petition.

4. Said petition shall set forth the name or names and places of residence and post-office addresses of the candidates for the offices to be filled, the title of the office for which each candidate is named, and that such petitioners are legally qualified to vote for such candidates and pledge themselves to support and vote for the persons named in such petition and that they have not signed any other petition of nomination for the primary or for the general election for such office. In the case of a petition or petitions, nominating electors of President and Vice-President of the United States, the names of the candidates for President and Vice-President, for whom such electors are to vote may be included in such petition, or petitions, but such petition, or petitions, shall not include the names of any candidates for President, or Vice-President, who have been nominated at a convention of a political party as defined by this act. Said petition shall also state in not more than three words, the designation of the party or principle which the candidates therein here named represent; *provided, however*, that such designation shall not contain the designation, name, derivative, or any part thereof as a noun or an adjective of any political party entitled to participate in the primary election. Said petition shall include also the request that the names of the candidates and their designations of party or principle be printed upon the ballots to be used at the ensuing general election; *provided*, that any such petition shall not undertake to nominate any candidate who has accepted the nomination for the primary for such position.

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

## Acceptance by Nominees.

8. Candidates nominated for any office in any petition shall manifest their acceptance of such nomination by a written acceptance thereof, signed by their own hand, upon or annexed to such petition, or if the same person be named for the same office in more than one petition annexed to one of such petitions. Such acceptance shall certify that the candidate is a resident of and

What petition  
to set out.

Party designation.

Proviso.

Request to  
print on  
ballot.

Proviso.

Sec. 8, Art.  
XII, amended.

Candidates'  
acceptance.

- Proviso. a legal voter in the jurisdiction of the office for which the nomination is made; *provided*, that the candidate so named shall not sign such acceptance if he has signed an acceptance for the primary nomination or any other petition of nomination under this Article XII for such office.
- Sec. 13, Art. XII, amended. 61. Section thirteen, Article XII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:  
Correction of Defective Petition.
- Amending petition. 13. It shall be lawful for any candidate whose petition of nomination or any affidavit or affidavits thereto, be defective, to cause such petition, or the affidavit or affidavits thereto, to be amended in matters of substance or of form as may be necessary, but not to add signatures, or such amendment or amendments may be made by filing a new or substitute petition, or affidavit or affidavits, and the same when so amended shall be of the same effect as if originally filed in said amended form;
- Proviso. *provided, however*, that every amendment shall be made at least twenty days before the election. This provision shall be liberally construed to protect the interest of candidates.
- Sec. 15, Art. XII, amended. 61a. Section 15, Article XII, of the act to which this act is an amendment, as amended by chapter 370, P. L. 1920, be and the same is hereby amended to read as follows:  
15. Whenever the State convention of a political party shall have nominated candidates for electors of President and Vice-President of the United States, as herein provided, said convention shall certify said nomination in a written or printed or partly written and partly printed certificate of nomination. Said certificate of nomination shall contain the name of each person nominated, his residence and post office address, the office for which he is named, and shall also contain in not more than three words the designation of the party or principles which such convention or nominating body represents. The names of the candidates for President and Vice-President for whom such electors are to vote may be included in the certificate. Said convention may also appoint a committee to whom shall be delegated the
- Certification of nominations for electors.
- Committee on vacancies.

power to fill vacancies occasioned by any cause, and the names and addresses of said committee shall be included in said certificate. Said certificate shall be signed by the presiding officer and secretary of such convention or nominating body, who shall add to their signatures their respective places of residence and post office addresses, and severally make oath before an officer qualified to administer the same that the affiants were respectively such officers of such convention, and that said certificate and the statements contained therein are true as they verily believe. A certificate that such oath has been taken shall be made and signed by the officer administering the same and endorsed upon or attached to such certificate of nomination. Enclosed upon or attached to said certificate shall be statements in writing that the persons named therein accept such nominations. Said certificate of nomination and the acceptance thereof shall be filed with the Secretary of State at least twenty-five days previous to the general election at which such electors of President and Vice-President of the United States are to be voted for. All objections to said certificates of nomination; the determination of the validity of such objections; the correction of defective certificates, and the presentation of said certificates and any documents attached thereto, shall be the same as herein provided for direct petitions of nomination.

Verification of certificate.

Acceptance.

Time for filing.

Objections.

62. Section twenty-four, Article XII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 24,  
Art. XII,  
amended.

Determination by Nominee.

24. Any candidate receiving the nomination of more than one group of petitioners or who has had his name written on the primary ballot, shall, within five days after the time for certifying nominations expires, file with the Secretary of State or the county clerk with whom the petitions were filed, a notice directing such official in what order the several designations mentioned in the petition are to follow his name upon the official ballot, and if such candidate shall fail to make such directions as aforesaid, then said Secretary of State or county clerk shall add said designations after the name

Order of designation.

of such candidate in such order as said official shall determine.

Sec. 2,  
Art. XIII,  
amended.

63. Section two, Article XIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Regulations as to Contents.

Blanket  
ballot.

2. There shall be a single or blanket form of ballot, upon which shall be printed all the names of all the candidates of every party or group of petitioners having candidates to be voted for at said election. The name of any candidate nominated at the primary who shall fail to accept his nomination in the manner herein provided shall not be printed on the ballot. The name of a candidate whose nomination has been vacated as hereinbefore provided shall not be printed on the ballot. Any public question which is to be submitted to the people of the State, county or municipality at said general election, shall be printed in a separate space at the foot of the ballot, with appropriate instructions to the voter.

Names  
omitted.

Referenda  
printed.

Sec. 4,  
Art. XIII  
amended.

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

Head of the Ballot.

Wording at  
head of ballot.

4. In the center of the ballot immediately below the perforated line shall be printed the words "Official Ballot" in bold-face type. Below the above stated words and extending across the ballot shall appear the words: "(Name of Municipality), . . . . . Ward, . . . . . Election District, . . . . . Date of Election, . . . . . John Doe, County Clerk."

Proviso—  
polling place  
given.

*Provided*, that in any municipality having a population of more than fifteen thousand the street address or location of the polling place shall be printed after the words which indicate the number of the election district. The blank spaces shall be filled in with the name of the proper municipality, the ward and district numbers and the date of the election. The name of the county clerk shall be a facsimile of his signature. Below the last stated words extending across the ballot and at the extreme left shall be printed the words "Instructions to the Voter" and immediately to the right there shall be a

Instructions  
to voters.

bracket embracing the following instructions numbered consecutively.

1. The only kind of a mark to be made on this ballot in voting shall be a cross  $\times$  or plus  $+$  except when writing a name in the column designated Personal Choice (see Instruction 4 below).

Marking  
ballots.

2. To mark a cross  $\times$  or plus  $+$  or when writing a name on this ballot use only black ink or black lead pencil.

3. To vote for any candidates whose names are printed in any column, mark a cross  $\times$  or plus  $+$  in the space or square at the left of the names of such candidates not in excess of the number to be elected to the office.

4. To vote for any person whose name is not printed on this ballot write or paste the name of such person under the proper title of office in the column designated Personal Choice, but do not mark a cross  $\times$  or plus  $+$  before or after such name.

Personal  
choice.

5. To vote upon any public question printed on this ballot if in favor thereof mark a cross  $\times$  or plus  $+$  in the square at the left of the word "Yes," and if opposed thereto mark a cross  $\times$  or plus  $+$  in the square at the left of the word "No."

6. Do not mark this ballot in any other manner than above provided for and make no erasures. Should this ballot be wrongly marked, defaced, torn or any erasure made thereon or otherwise rendered unfit for use return it and obtain another.

Unfit ballots  
returned.

In the year in which electors for President and Vice-President of the United States are to be elected, the following instructions shall be printed upon the general election ballot.

7. To vote for all the electors of any party, mark a cross  $\times$  or plus  $+$  in black ink or black pencil in the square at the left of the surnames of the candidates for President and Vice-President for whom you desire to vote.

Voting for  
electors.

8. To vote for part of the electors of any party, mark a cross  $\times$  or plus  $+$  in black ink or black pencil in the square at the left of the name of each elector for whom you desire to vote.

Below the above stated instructions and information and three inches below the perforated line and parallel to it there shall be printed a six-point diagram rule extending across the ballot to within not less than a half inch to the right and left edges of the paper.

Sec. 6,  
Art. XIII,  
amended.

64a. Section six, Article XIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Column Designations and Accompanying Instructions.

Column  
designations.

6. In each column, immediately below the six-point rule, shall be printed the proper word or words to designate the column, to be known as the "Column Designation." In the columns at the extreme left shall be printed the name of each of the political parties which made nominations at the next preceding primary election, directly under which shall appear the words "To vote for any candidate whose name appears in the column below, mark a cross X or plus + in the space or square at the left of the name of such candidate. Do not vote for more candidates than are to be elected to any office." Said columns shall be three inches in width. The column next to the right of such columns shall be designated "Personal Choice," under which shall appear the words "In the blank column below, under the proper title of office, the voter may write or paste the name of any person for whom he desires to vote, whose name is not printed on this ballot, but shall not mark a cross X or plus + before or after such name. Do not vote for more candidates than are to be elected to any office." This column shall be four inches in width. The remaining column or columns, as the case may be, shall each be designated "Nomination by Petition," under which shall be printed the words "To vote for any candidate whose name appears in the column below mark a cross X or plus + in the space or square at the left of the name of such candidate. Do not vote for more candidates than are to be elected to any office." Said columns shall be four inches in width. Below the column designations and accompanying instructions, and not more than one and one-half inches below the six-point diagram rule, and

parallel thereto, shall be printed a six-point diagram rule extending across the entire ballot, from one four-point rule to the other.

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

Sec. 8,  
Art. XIII,  
amended.

Arrangement of Titles of Office and Names of Candidates in Party Columns and Personal Choice Column.

8. In the columns of each of the political parties which made nominations at the next preceding primary election, and in the Personal Choice column, within the space between the two-point hair line rules, there shall be printed the title of each office to be filled at such election, except as hereinafter provided. Such titles of office shall be arranged in the following order: Electors of President and Vice-President of the United States; member of the United States Senate; Governor; member of the House of Representatives; member of the State Senate; members of the General Assembly; sheriff; county clerk; surrogate; register of deeds and mortgages; coroners, county supervisor, members of the board of chosen freeholders; mayor and members of municipal governing bodies, and so forth. Above each of said titles of office, except the one at the top, shall be printed a two-point diagram rule in place of the two-point hair line rule. Below the titles of such offices shall be printed the names of all the candidates for such offices; *provided*, that the names of candidates for any office for which more than one are to be elected shall be arranged in the same order as they appeared on the next preceding primary election ballot; and *provided, further*, that when no nomination for any office has been made the space or spaces where the title of office and the name or names of candidates for such office in the party columns would have appeared shall be filled with scroll or filling. Immediately to the left of the name of each candidate, at the extreme left of the column, shall be printed a square one-quarter of an inch in size, formed by two-point diagram rules; *provided, however*, that in the

Title of office  
printed.

Order of  
titles and  
candidates.

Candidates'  
names.

Proviso.

Proviso.

Marking  
square.

Proviso.

Personal Choice column no names of candidates and no squares shall be printed, and that to the right of the title of each office and within parenthesis shall be printed the words "Vote for.....," inserting in words the number of persons to be elected to such office.

Sec. 9,  
Art. XIII,  
amended.

66. Section nine, Article XIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

#### Nomination by Petition Columns.

Arrangement  
of nominations  
by petition.

9. In the column or columns designated as Nominations by Petition, within the space between the two-point hair line rules, there shall be printed the title of each office for which nominations by petition have been made. Such titles of office shall be arranged in the following order: Electors of President and Vice-President of the United States; member of the United States Senate; Governor; member of the House of Representatives; member of the State Senate; members of the General Assembly; sheriff; county clerk; surrogate; register of deeds and mortgages; coroners; county supervisor; members of the board of chosen freeholders; mayor and members of municipal governing bodies, and so forth. Above each of said titles of office, except the one at the top, shall be printed a two-point diagram rule in place of the two-point hair line rule. Below each of the titles of such offices shall be printed the names of each of the candidates for each of such offices followed by the designation or designations mentioned in the petitions filed. Immediately to the left of the name of each candidate, at the extreme left of the column, shall be printed a square one-quarter of an inch in size, formed by two-point diagram rules. 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 or petitions, which groups shall be separated from other groups and candidates by two two-point hair line rules; *provided, however*, that the name of any candidate shall appear but once under the title of any office to be voted for. To the right of the title of each office and within parenthesis shall be printed the words "Vote for"—

Groupings.

Proviso.

inserting in words the number of candidates to be elected to such office.

67. Section ten, Article XIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 10,  
Art. XIII,  
amended.

Arrangement of Nominees for Electors of President and Vice-President.

10. The surnames of candidates for President and Vice-President of the United States shall be printed in one line in the space next above the title of the office of electors for such candidates. In the nomination by petition columns the surnames of candidates for President and Vice-President shall be followed by the designation mentioned in the petitions filed. In the personal choice column the voter may write or paste the surnames of candidates for President and Vice-President for whom he desires the electors to vote. To the left of the surnames of candidates for President and Vice-President of the United States, shall be printed a square one-half inch in size, with the following directions to the voter: "To vote for all the Electors of President and Vice-President mark a cross X or a plus + within the square opposite the surname of President and Vice-President."

Surnames  
of presidential  
candidates  
on ballot.

68. Section eleven, Article XIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 11,  
Art. XIII,  
amended.

Drawing for Position on Ballot.

11. The county clerk shall draw lots to determine which columns the political parties which made nominations at the next preceding primary election shall occupy on the ballot. The name of the party first drawn shall occupy the first column at the left of the ballot, and the name of the party next drawn shall occupy the second column, and so forth. The manner of drawing the lots shall be as follows: Paper cards, with the names of each political party written thereon, shall be placed in a covered box with an aperture in the top large enough to allow the said cards to be drawn therefrom. The county clerk, in the presence of the chairmen of the county committees of such parties or any persons said chairmen shall designate, shall draw from the box each

Determining  
position on  
ballot by lot.

Manner of drawing.	<p>card without knowledge on his part as to which card he is drawing. In case of nominations by petitions the Secretary of State, the county clerks and the municipal clerks, for all petitions either for the primary or general election filed in their respective offices, shall draw lots to determine the order in which the names of candidates or group of candidates for each office shall appear upon the ballot. The manner of drawing the lots shall be as follows: Paper cards, with the name or names of each candidate or group of candidates written thereon for each office for which they were nominated, shall be placed in a covered box with an aperture in the top large enough to allow the said cards to be drawn therefrom. The Secretary of State, the county clerk or the municipal clerk, in the presence of the candidates or any persons they shall designate, shall draw from the box each card without knowledge on his part as to which card he is drawing. The name or names of the candidate or group of candidates first drawn from the box shall be printed directly below the proper title of the office for which they were nominated, and the name or names of the candidate or group of candidates next drawn shall be printed next in order, and so on until the last name or group of names shall be drawn from the box; <i>provided, however,</i> that the arrangement of names of any group of candidates for any office for which more than one are to be elected shall be printed in the same order on the ballot as they were arranged on the original petition.</p>
By whom drawn.	
Order of printing.	
Proviso.	
Sec. 14, Art. XIII, amended.	<p>69. Section fourteen, Article XIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows: Style of Type, Rulings, Spacings, etc.</p>
Details as to type, rulings, spacings, etc.	<p>14. The words to be printed on the perforated coupon shall be printed in twelve-point bold face capital letters and the figures in eighteen and twenty-two-point bold face type. On the head of the ballot the words "Official Ballot" shall be printed in at least thirty-point bold face capital letters. The name of municipality, ward, election district, and date shall be printed in twelve-point bold face capital letters. The words "Instructions to the Voter" shall be printed in twelve-point</p>

bold face capitals and small letters, while the instructions embraced within the brackets shall be printed in eight-point bold face capital and small letters. The column designations shall be printed in eighteen-point bold face capital letters and the accompanying instructions shall be printed in eight-point capitals and small letters. The titles of office and accompanying instructions shall be printed in ten-point bold face capital and small letters; *provided*, that when there is no nomination made at the primary for an office, no title shall be printed in the space where such title would have appeared, and all blank spaces for such office shall be filled with scroll or filling. The names of all candidates shall be printed in ten-point capital letters. The designations following the candidates' names in the Nomination by Petition column or columns shall be printed in ten-point capitals and small letters, except that where it will overrun the space within the column the designations may be abbreviated, and all spaces between the two-point hair line rules not occupied by the titles of office and names of candidates shall be printed in with scroll or filling to guide the voter against wrongly marking the ballot. On the foot of the ballot the words "Public Questions to be voted upon" shall be printed in eighteen-point bold face capital letters. The accompanying instructions shall be printed in eight-point capital and small letters. The Public Questions to be voted upon shall be printed in ten-point capital and small letters, and the words "Yes" and "No" shall be printed in twelve-point bold face capital letters.

Proviso.

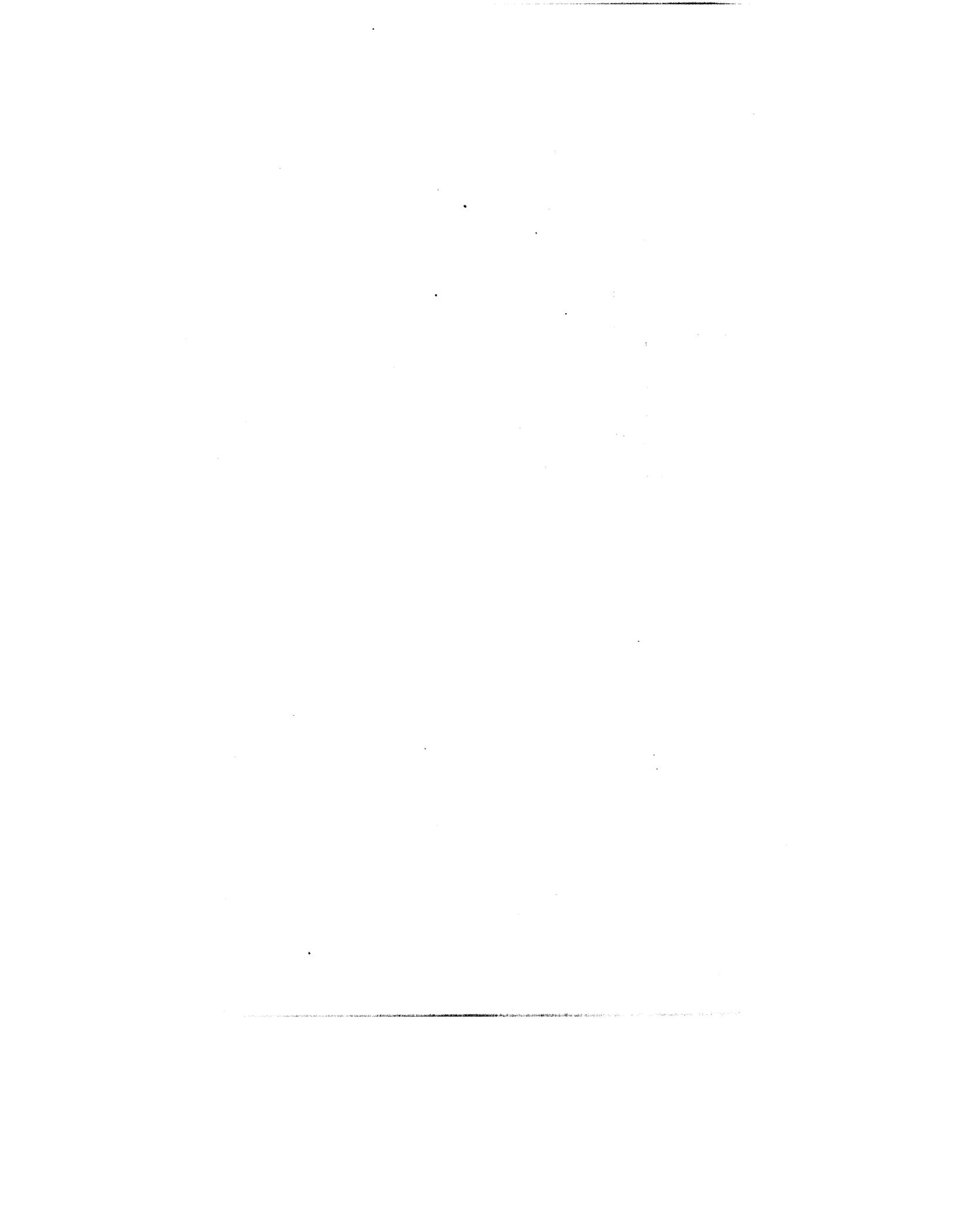
70. Section fifteen, Article XIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 15,  
Art. XIII,  
amended.

Ballot Model.

15. The face of the official ballot shall be substantially in the following form:

Ballot model.



county clerk as aforesaid shall deliver the same at his office, or in any other way he sees fit, on or before noon of the Tuesday preceding the general election, to a member or members of each district board of registry and election, and shall take a receipt for the same from the member or members of the district boards of registry and election of said municipality, which receipt shall indicate the number of sample ballots and stamped envelopes delivered by said municipal clerk and the date and hour of their delivery.

73. Section twenty-one, Article XIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 21,  
Art. XIII,  
amended.

Preservation of Envelopes and Sample Ballots Returned  
by Postmaster.

21. Said county clerk or prosecutor of the pleas, as the case may be, shall preserve all envelopes and sample ballots which shall have been mailed by said district boards of registry and election but returned to him by the postmasters of the various municipalities of said county for the space of one year and same shall be open to public inspection for the space of sixty days after the primary or the election, as the case may be.

Returned  
ballots and  
envelopes  
preserved.

74. Section twenty-eight, Article XIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 28,  
Art. XIII,  
amended.

Time Limit for Printing Order.

28. Not later than noon of the fifth day preceding the general election the county clerk shall have printed and on hand in his office one and one-tenths times as many official ballots for each election district in each municipality in said county as there are voters registered in said election district.

Number of  
ballots  
printed.

75. Section thirty, Article XIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 30,  
Art. XIII,  
amended.

Correction of Errors in Official Ballots.

30. Whenever it shall appear that any error or omission has occurred in the copy prepared by the county clerk for the printer or in the printing of the ballots by any county clerk, any voter resident in the county may

If errors,  
corrected bal-  
lots printed.

present to a justice of the Supreme Court a verified petition setting forth such error or omission; and said justice being satisfied thereof, shall thereupon summarily, by his order, require the county clerk to correct such error or show cause before said justice, at the shortest possible day, why such error should not be corrected. Said county clerk shall correct the same by causing new ballots to be immediately printed in place of those found to be inaccurate or incomplete; and those found to be inaccurate or incomplete shall be immediately destroyed.

Sec. 1,  
Art. XIV,  
amended.

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

#### County Clerks and Municipal Clerks.

Delivery of  
ballots by  
county clerks.

1. The county clerks of the several counties, not later than three days prior to the general election, shall cause to be delivered to the clerk of each municipality within their respective counties, the number of ballots hereinbefore required to be provided for each election district within his municipality at such election. The same shall be delivered in sealed packages, one for each election district of said municipality, with marks or directions on the outside of each clearly stating the election district for which it is intended, together with the number of ballots. Said county clerk shall also keep a record of the time when and the manner in which each of said packages was delivered. Receipts for said ballots thus delivered shall be given by the clerk receiving the same and filed with the county clerk.

Sec. 2,  
Art. XIV,  
amended.

77. Section two, Article XIV, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

#### Municipal Clerks to Clerks of District Boards of Registry and Election.

Delivery of  
ballots, boxes,  
etc., by  
municipal  
clerks.

2. The said municipal clerk shall, on the day preceding any such general election, deliver, at his office or in any other way that he sees fit, to one of the members of each district board of registry and election within his municipality, the ballot-box, the ballot-box keys, the ballots, and all other equipment and supplies received

from the county clerk or the county board of elections for such election district, and in addition shall deliver to such member all such other equipment and supplies as herein provided to be furnished by the municipal clerk to the district board of registry and election of his municipality for balloting at the general election, and take the receipt of such member therefor, which last mentioned receipt the clerk of such municipality shall file and preserve for one year. Said member of each district board of registry and election, shall, on the morning of election and before the proclamation of the opening of the polls, deliver the ballot box, the packages of ballots and all other equipment and supplies by him received to the district board of registry and election of which he is a member, with the seals thereof unbroken, and shall take a receipt therefor from said board, which receipt said member shall file and preserve for one year.

Delivery to district boards on election morning.

77a. Section seven, Article XV, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 7,  
Art. XV,  
amended.

Closing Polling Place or Polling Room.

7. After the hour fixed for closing the polls voters already within such place or room or in line shall be permitted to prepare and cast their ballots.

Voting at close of polls.

78. Section eleven, Article XV, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 11,  
Art. XV,  
amended.

Keeping of Poll-Book.

11. One of the members of the board acting as clerk of election, to be designated by the judge, shall keep at such election a poll-book, arranged alphabetically according to surnames, in which shall be recorded the names of the voters voting at such election. There shall be printed a heading to the list of names so recorded in the following or like form: "Names of voters at the general election held in the . . . . . ward, . . . . . district of . . . . . (name of municipality, in the county of . . . . . , on the . . . . . day of . . . . . , in the year of our Lord one thousand nine hundred and . . . . . , for . . . . . "(naming the offices to be filled, which shall be written

Poll book—  
what to show.

Proviso.

in by a member of the district board of registry and election, and filling up the blanks in the form above given to conform to the facts of the case; *provided*, that in all election districts in municipalities having a population exceeding fifteen thousand, the clerks of election shall record the names of the voters voting at such elections. Said poll-books in municipalities having a population exceeding fifteen thousand shall be made up in two volumes for each election district, to be known as Volume Number One and Volume Number Two, and shall be used in the same manner as the signature copy registers are used. Volume I shall be indexed alphabetically beginning with the letter "A" and ending with the letter "K" and Volume II in a like manner beginning with the letter "L" and ending with the letter "Z", and each book shall have seven columns headed respectively: "Number of voter," "name of Voter," "residence of voter," "signature or statement number of voter," "ballot number," "signature compared" and "remarks." On the last page of the poll-book in municipalities having a population of fifteen thousand or less and on the last page of Volume II there shall be printed a statement in substantially the following form: "The whole number of the names of the persons whose votes have been received during this election is. . . . ." Also providing a blank space for the signatures of the members of the district board of registry and election. In the first column of such poll-book there shall be entered, at the close of the polls, a number opposite the name of each person who has voted, beginning with the first page of the poll-book in municipalities having a population of fifteen thousand or less, and with number one of Volume I opposite the first name entered upon the first page of the poll-book in municipalities having a population exceeding fifteen thousand and continuing in numerical order to and including the last name entered upon the last page of Volume II.

Voters numbered.

Sec. 15,  
Art. XV,  
amended.

78a. Section fifteen, Article XV, of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Signature Procedure if Voter is Registered by Affidavit  
(Municipalities Over 15,000).

15. If the voter has registered by affidavit as herein provided, the signature made by the voter on such affidavit shall be compared with his signature made on election day, 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 said signature in the column headed "signatures compared," and said voter shall be eligible to receive a ballot. Said affidavit shall be attached in the back of the "signature copy register" and filed therewith.

Voting on  
registration  
by affidavit.

78b. Section twenty-five, Article XV, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 25.  
Art. XV.  
amended.

Ballot Handed to Voter.

25. In all municipalities after the district board of election shall have ascertained that a voter is properly registered and qualified to vote the inspector of election shall furnish to such voter one official ballot numbered to correspond with the poll number of said voter, allowing for spoiled ballots, if any. No ballot shall be handed to a voter until there is a booth ready for occupancy. The members of the district board of registry and election shall not allow a voter to mark his ballot outside of an election booth unless the voter is unable to enter said booth by reason of his own physical disability. The said inspector shall instruct the voter how to fold the ballot; said inspector shall crease the ballot so as to indicate the point where the voter shall fold the ballot, but before handing the ballot to the voter said inspector shall see that the face of the ballot including the coupon is exposed, and at the same time shall call off said ballot number to the member having charge of the polling book, who shall make certain that the ballot number and poll number agree, allowing for spoiled ballots, if any. In case the number of the ballot

Qualified  
voter receives  
ballot.

Folding ballot.

As to num-  
bering.

does not follow consecutively the missing number or numbers shall be written on a blank sheet of paper signed by the members of the district board of registry and elections and placed on the string with the coupons in its or their proper place or places.

Sec. 35,  
Art. XV,  
amended.

79. Section thirty-five, Article XV, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Procedure to be Followed.

Voter's helper.

35. At any election any person who declares under oath and establishes to the satisfaction of a majority of all the members of the district board of registry and election that he is unable to read the English language or that by reason of blindness or other physical disability he is unable to mark his ballot without assistance, may have the assistance of two members of such board of opposite political faith, to be assigned by the board, in preparing his ballot. Such members of such board shall retire with such voter to the booth and assist him in the preparation of his ballot and folding the same. The member acting as clerk of the district board of registry and election shall make an entry in the poll-book, which entry shall be in the form of an oath and shall be printed at the end of the poll-book, and shall be numbered with the voter's number and in every instance when such oath was administered to a voter as herein provided, it shall state briefly what facts were sworn to and the name of the members of the board who aided such voter. Any members of the district board of registry and election shall be eligible to witness the preparation of the ballot of any such voter, but no other person shall be allowed to assist such voter in marking his ballot or to witness the marking of the same. No member of such board shall reveal the name of any person for whom such voter has voted, or anything that took place while such voter was being assisted.

Sec. 37,  
Art. XV,  
amended.

80. Section thirty-seven, Article XV, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

## Determination of Applications for Right to Vote.

37. It shall be the duty of the justice of the Supreme Court and the judge of the Court of Common Pleas, or one of them, to sit and hold a Court of Common Pleas at the court house in their respective counties on the day of any election during the hours the polls are open, and in case the vote of any person, in any election district, has been refused or rejected by the district board of elections, in such district, or the person is not registered, the said court shall, upon application, in person, by the person so refused or rejected, or not registered, proceed, in a summary way, to inquire whether such person is entitled to vote in such election district. If the court shall find that such person is legally entitled to vote in said election district, it shall issue a certificate, under its seal, to the district board of registry and election of the district in which such person is entitled to vote, reciting that such person is entitled to vote in such election district and shall deliver such certificate to such person and notify the county board of election of such order. Such person may present said certificate to the district board of election of the district in which he is entitled to vote, and said board shall receive and file said certificate, and thereupon said person shall be allowed to vote at such election.

Court's determination of rejected voter's right to vote.

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

Sec. 3,  
Art. XVI,  
amended.

## Votes Based on Ballot Markings.

3. In canvassing the ballots the district board of registry and election shall count the votes as follows:

Ballots to  
be counted.

A. If proper marks are made in the squares to the left of the names of any candidates in any column and names of persons are written or pasted in the column designated Personal Choice, the total number voted for for each office not exceeding the number of candidates to be elected to each office, a vote shall be counted for each candidate so marked and to each person whose name is so written or pasted on the ballot.

B. Where the name of any person is written, or pasted under the proper title of office in the column

designated Personal Choice, a vote shall be counted for such person whether a cross X or plus + appears or does not appear before or after such name.

C. In case of any public question printed on the ballot where a proper mark is made in the square to the left of the word "Yes" it shall be counted as a vote in favor. If a proper mark is made in the square to the left of the word "No" it shall be counted as a vote against said public question. If no mark is made in either square to the left of either the word "Yes" or "No" it shall not be counted as a vote either in favor or against. If a mark is made in each of the squares to the left of both the words "Yes" and "No" it shall not be counted either as a vote in favor or against.

D. If a voter marks more names than there are persons to be elected to an office, or his choice cannot be determined, his ballot shall not be counted for such office but shall be counted for such other offices as are properly marked. If a voter mark a cross X or plus + in the space or square at the left of the surname of any candidate for President or Vice-President of the United States and also mark a cross X or plus + in some of the spaces or squares at the left of the name of candidates for Presidential electors, 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.

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

#### Void Ballots.

4. In counting the ballots said board shall deem and take to be null and void all ballots which are wholly blank, or on which more names have been marked for every office than there are persons to be elected to such office and on which both "Yes" and "No" have been marked upon every public question. All ballots still remaining in the ballot-box after ballots equal in number to the number of names of voters in the poll-book inclusive of void ballots, shall be deemed and taken to be null and void. No ballot which shall have either on its

Sec. 4,  
Art. XVI,  
amended.

Ballots  
deemed void.

No distinguish-  
ing mark.

face or back, any mark, sign, erasure, designation or device whatsoever, other than is permitted by this act by which said ballot can be distinguished from another ballot, shall be declared null and void, unless the board canvassing said ballots, or the board or officer conducting the recount thereof, shall be satisfied that the placing of said mark, sign, erasure, designation or device upon the ballot was intended to identify or distinguish said ballot; *provided, however*, that no ballot shall be invalid by reason of the fact that the mark made in the square is not a perfect cross  $\times$  or plus  $+$  or is not entirely within the square, if said mark is substantially a cross  $\times$  or plus  $+$  and is substantially within the square; *provided, further*, that no ballot shall be declared invalid by reason of the fact that the mark made with ink or the mark made with lead pencil appears other than black; *and provided, further*, that no ballot cast for any candidate shall be invalid by reason of the fact that the name of such candidate may be misprinted, or his Christian name or his initials may be omitted; *provided, further*, that no ballot cast for any candidate shall be invalid by the reason of the use of any paster permitted by this act on which the name of such candidate may be misprinted or part of his Christian or surname or initials may be omitted, or that by reason of the fact that the voter in writing the name of such candidate may misspell the same or omit part of his Christian or surname or initials.

Proviso.

Proviso.

Proviso.

Proviso.

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

Sec. 3,  
Art. XVII  
amended.

#### Filing of Statements.

3. After the district board of registry and election shall have made up and certified said statements, said board shall at the same time and with the ballot-boxes, as hereinafter provided, deliver or safely transmit one of said statements to the clerk of the municipality wherein such election is held, who shall forthwith file the same. The said board shall, immediately after election, deliver or safely transmit another of said statements of the result of such election to the clerk of the county, who shall forthwith file the same. In the event

Where state-  
ments filed.

that officers were voted for or public questions were voted upon at said election by the voters of the entire State or of more than one county thereof, or of a congressional district, together with the statements relating to the office of justice of the peace, then said board shall immediately after such election deliver or safely transmit said statements to the clerk of the county, and shall inclose, seal up and transmit the third statement to the Secretary of State by mail, in stamped envelopes to be furnished by the Secretary of State, directing the same in the following manner: "To the Secretary of State of New Jersey, Trenton, New Jersey," and the Secretary of State upon receiving such statement shall forthwith file the same in his office.

Sec. 4,  
Art. XVIII,  
amended.

83a. Section four, Article XVIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Preservation of Ballot Boxes with Contents.

Boxes and  
contents kept  
intact.

4. Every municipal clerk to whom said ballot-boxes shall be delivered, shall thereupon keep the same, with their contents, but shall not have the keys thereof in his possession until required for the next ensuing election, and shall not open or permit to be taken or opened any ballot-box deposited as aforesaid for the space of three months after the same has been so deposited, except when he shall be called upon by some court or other tribunal authorized to try the merits of such election, or to take testimony regarding the same; and after such trial or investigation, it shall be the duty of the clerk to have said box or boxes returned to be held for any purpose within the time that said ballot-boxes are required to remain in the custody of said clerk. It shall be lawful after the space of three months for the municipal clerk to remove the contents thereof and preserve the same for two years, and permit the said ballot-boxes to be used at such election, unless an order shall have been made directing a recount of the ballots contained therein, or a petition filed contesting any nomination or election necessitating the use of the ballots contained in said boxes, within the time limited by law.

Removal and  
preservation  
of contents  
of boxes.

84. Section five, Article XX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 5,  
Art. XX,  
amended.

Certificates Issued to Successful Candidates by Board of County Canvassers.

5. The chairman of the board of county canvassers, attested by the clerk thereof, in the case of an election for Senator or Members of the Assembly, or for any officer voted for by the voters of the entire county or of any subdivision thereof, except for members of the House of Representatives, shall issue a certificate to the successful candidate based upon the statement of the chairman of the determination of such board, and shall sign his name thereto, and affix thereto the seal of the county, and shall, without delay, deliver one of the same to each person who shall be so elected.

Certificate  
issued to  
successful  
candidate.

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

Sec. 4,  
Art. XXIII,  
amended.

Preparation of Primary Election Registry Book.

4. Said district board of registry and election shall prepare the primary election registry book for their district by placing upon it alphabetically, according to the surnames of all persons whose names appear upon the poll-book of their election district at the last preceding general election, the names of all voters who shall appear in person before said board and register upon said first registry day; the names of all persons who will be entitled to exercise the right of suffrage on the day of the next ensuing general election and who shall appear in person before said board and register upon said first registry day; and the names of all persons presented to said board by affidavit of another voter of the municipality in which said person resides. When a voter shall be registered by affidavit a separate affidavit shall be required for each person so registered, which shall contain the address of the person to be registered and the address of the affiant and be signed by said affiant; such affidavit shall be preserved in the custody of the member of the board of registry and election acting as judge and shall be delivered to the county board of

Preparation  
of primary  
register.

elections on the day following the first registration day with the primary election registry book. Said district board shall place a "V" mark in the proper column opposite the name of each voter in the primary election registry book, designating the particular method by which said voter was registered, i. e., whether from the poll-book of the last general election, by personal appearance on the first registry day, by the affidavit of another person or by transfer. Said boards shall, upon the completion of said primary election registry book at the close of the first day of registration, consult the party primary poll-books kept at the primary for the next preceding general election and place the letter "R" opposite the names on the said primary election registry book as appear in the said Republican primary poll-book; the letter "D" opposite such of the said names as appear in the Democratic primary poll-book, and so on.

Party affiliation indicated.

Sec. 5,  
Art. XXIII,  
amended.

86. Section five, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Filing Books Used at the Primary Election with the County Boards of Elections.

Filing registry books.

5. Said primary election registry book shall be signed and certified by said district board of registry and election shall, not later than the day following the first day of registration be filed by said district board of registry and election with the county board of elections who shall make use of same in a similar manner as is required for the use of the signature copy register and registers of voters and return same to the district board of registry and election in time to be used on the succeeding primary day.

Sec. 6,  
Art. XXIII,  
amended.

87. Section six, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Primary Election Registry Book.

Registry in municipalities under 15,000.

6. In municipalities which at the Federal census immediately preceding any primary for the general election contained a population of fifteen thousand or less the district boards of registry and election shall make two primary election registry books by transcribing

from the register of voters, which they are required to prepare for the general election, to said primary election registry books the names of all voters which appear in said registers of voters. Said boards shall, upon the completion of said primary election registry book, consult the party primary poll-books kept at the primary for the next preceding general election and place the letter "R" opposite the names on the said primary election registry book as appear in the said Republican primary poll-book; the letter "D" opposite such of the said names as appear in the Democratic primary poll-book, and so on; *provided, however*, that in said municipalities the poll-book of the last preceding general election shall not be used, but said district board shall be satisfied that all the names of persons entitled to vote in their district have been properly transcribed from the canvassing books to the register of voters. Said primary election registry books shall be completed before the Tuesday following the house to house canvass.

Proviso.

Completing  
canvass.

88. Section seven, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 7,  
Art. XXIII,  
amended.

#### Disposition of Primary Election Registry Books.

7. One of the primary election registry books shall be posted for public inspection at least one week prior to the primary election. The other primary election registry book shall be signed and certified by said district board of registry and election and shall on or before the Tuesday following the house to house canvass be filed by said district board of registry and election with the county board of elections who shall make use of same in a similar manner as is required for the use of the signature copy registers and registers of voters and return same to the district board of registry and election in time to be used on the succeeding primary election day.

Registry book  
posted.

89. Section twenty, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 20,  
Art. XXIII,  
amended.

## Vacancy Committee Named in Petition.

Filling va-  
cancies.

20. The signers to petitions for Governor, United States Senator, member of the House of Representatives, State Senator, members of the General Assembly and any county office may name three men in their petition as a committee on vacancies, which committee shall have power in case of death or resignation or otherwise of the person endorsed as a candidate in said petition to fill such vacancy by filing with the Secretary of State in the case of offices to be voted for by the voters of the entire State or a portion thereof involving more than one county thereof or any congressional district, and with the county clerk in the case of offices to be voted for by the voters of the entire county, a certificate of nomination to fill such vacancy. Such certificate shall set forth the cause of said vacancy the name of the person nominated and that he is a member of the same political party as the candidate for whom he is substituted the office for which he is nominated, the name of the person for whom the new nominee is to be substituted, the fact that the committee is authorized to fill vacancies and such further information as is required to be given in any original petition of nomination. The certificate so made shall be executed and sworn to by the members of said committee, and shall, upon being filed at least fifteen days before election, have the same force and effect as the original petition of nomination for the primary election for the general election. The name of the candidate substituted shall be immediately certified to the proper municipal clerks.

Certificate—  
what to show.Sec. 22,  
Art. XXIII,  
amended.

90. Section twenty-two, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

## Acceptance by Candidate.

Acceptance  
by candidate.

22. Accompanying said petition and attached thereto each person endorsed therein shall file a certificate, stating that he is qualified for the office mentioned in said petition; that he consents to stand as a candidate for nomination at the ensuing primary election, and that if nominated, he agrees to accept the nomination. Such acceptance shall certify that the candidate is a resident of and a legal voter in the jurisdiction of the office for

which the nomination is made; *provided*, that no candidate who has accepted the nomination by a direct petition of nomination for the general election or any other petition of nomination under this Article XXIII, shall sign an acceptance of nomination for such office for the primary election. Proviso.

91. After section twenty-two, Article XXIII, insert new section to be known as twenty-two-a—, to read as follows: Sec. 22a,  
Art. XXIII,  
added.

#### Acceptance of Nomination.

22-a. Any person nominated at the primary whose name was not printed upon the primary ballot, shall file a certificate stating that he is qualified for the office for which he has been nominated and that he is a resident of and a legal voter in the jurisdiction of the office for which the nomination is made and that he consents to stand as a candidate at the ensuing general election. Such acceptance shall be filed within five days after the holding of such primary with the county clerk in the case of county and municipal offices and with the Secretary of State for all other offices. Nomination  
of person  
whose name  
not printed.

92. Section twenty-five, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows: Acceptance.  
  
Sec. 25,  
Art. XXIII,  
amended.

#### Defective Petition.

25. In case any of said petitions of nomination shall be defective, excepting as to the number of signatures, it shall be the duty of the officer with whom such petition has been filed to forthwith notify any candidate so endorsed, whose petition for nomination is defective, setting forth the nature of such defect, and the date when the ballots will be printed. Candidate  
notified of  
defective  
petition.

93. Section twenty-six, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows: Sec. 26,  
Art. XXIII,  
amended.

#### Amendment of Defective Petition.

26. Such candidate shall be permitted to amend such petition either in form or in substance, but not to add signatures, so as to remedy such defect within three days. Amending  
defective  
petition.

Sec. 32,  
Art. XXIII,  
amended.

94. Section thirty-two, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Contents of Ballots.

What primary  
ballot to  
contain and  
arrangement.

32. Said ballots shall be made up and printed in substantially the following form:

Each ballot shall have at the top thereof a coupon at least two inches deep extending across the ballot 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; below which and extending across the ballot in one or more lines, as may be necessary, shall be printed the words.....name of municipality  
.....ward..... election district.....  
date of election.....John Doe, municipal clerk;  
the blank spaces shall be filled in with the name of the proper municipality, the ward and the district number and the date of election. The name of the municipal clerk shall be a facsimile of his signature. This heading shall be set apart from the body of the ballot by a heavy diagram rule. Below this rule shall be printed the following directions instructing the voter how to indicate his choice for each office and position, and for how many persons to vote for each office and position: To vote for any person whose name appears on this ballot mark a cross X or plus + with black ink or black lead pencil in the space or square at the left of the name of such person. Below these instructions shall be printed a heavy diagram rule below which shall be printed the titles of offices and positions for which candidates are to be voted for at the said primary election, together with such directions to the voter as may be necessary as "Vote for one," "Vote for two," or a

greater number, as the case may be. Underneath the proper title of office and position shall be printed the names of all those persons certified as candidates for such offices to said municipal clerk by the county clerks as hereinbefore provided, and the names of persons endorsed as such candidates in petitions on file in the office of said municipal clerk as they appear signed to the certificate of acceptance; *provided*, that the name of any person endorsed in a petition as aforesaid who shall fail to certify his consent and agreement to be a candidate for nomination to the office specified therein shall not be printed upon the ballots to be used at such primary election; *and, provided, further*, that in the case of a vacancy among nominees the name of the person selected in the manner provided in this act to fill such vacancy shall be printed upon the ballots in the place and stead of the person vacating such nomination. Said candidates shall be arranged in groups and the groups bracketed in all cases where the petitions endorsing such candidates request such grouping. The designation named by candidates in their petitions for nomination, as provided by this act, shall be printed to the right of the names of such candidates or groups of candidates in as large type as the space will allow. Immediately to the left and on the same line with the name of each candidate for office and position shall be printed a square approximately one-quarter of an inch in size, or by printing vertical single line rules connecting the single line rules between the names of the candidates form a square, in which the voter shall indicate his choice. A single light-faced rule shall be used to separate the different names in each group of candidates. A heavy diagram rule shall be used between each group of candidates for different offices. Where candidates are arranged in groups and the groups bracketed, said groups shall be separated from other groups and candidates by two single line rules approximately one-eighth of an inch apart. Each primary ballot shall contain, at the end of the list of candidates for each different office, blank spaces or lines equal to the number of persons to be elected to said office.

Candidates'  
names printed.

Proviso.

Proviso.

Grouping.

Separating  
groups.

Sec. 33.  
Art. XXIII,  
amended.

95. Section thirty-three, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Form of Ballot.

Form of  
primary bal-  
lot.

33. The following is an illustration of the said form of ballot:

CHAPTER 196, LAWS OF 1921.

To be torn off by the Judge of Election.

No. . . . .

Fold to this line.

Republican Primary Ticket.

(Name of Municipality) . . . Ward . . . Election District.

(Date) JOHN DOE, Municipal Clerk.

To vote for any person whose name appears on this ballot mark a cross X or plus + with black ink or black lead pencil in the space or square at the left of the name of such person.

<i>For Governor.</i>		<i>Vote for One.</i>
<input type="checkbox"/>	JOHN SMITH,	Regular Progressive
<input type="checkbox"/>	HENRY BLACK.	Tax Reduction, Efficiency
<input type="checkbox"/>		

<i>For Members of the General Assembly. Vote for Two.</i>		
<input type="checkbox"/>	WILLIAM LEE,	} Tax Reduction, Efficiency
<input type="checkbox"/>	RUDOLPH BLY,	
<input type="checkbox"/>	PETER JOHNSON,	} Regular Progressive
<input type="checkbox"/>	SIMON ABBOTT,	
<input type="checkbox"/>		}
<input type="checkbox"/>		

<i>For Mayor.</i>		<i>Vote for One.</i>
<input type="checkbox"/>	FRANK ADAMS,	Civic Betterment
<input type="checkbox"/>	HAROLD JONES,	Regular Progressive
<input type="checkbox"/>	JAMES BRADY,	Tax Reduction, Efficiency
<input type="checkbox"/>		

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. Said ballot shall be as nearly square as possible.

Sec. 34,  
Art. XXIII,  
amended.

96. Section thirty-four, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Ballots and Envelopes Ordered from Printer.

Sample ballots  
and envelopes.

34. Said municipal clerk shall cause to be printed as herewith prescribed one and one-tenth times as many sample primary ballots of each political party as there were votes cast by such political parties at the last preceding general election in each election district, and shall furnish a sufficient number of stamped envelopes to enable every district board of registry and election to mail one copy of the sample primary election ballot of each political party to each voter who is registered in said district for said primary election. Said municipal clerk shall deliver to the county clerk and the county board of elections, one sample primary ballot for each district in his municipality. The cost of printing the sample primary ballots and the stamped envelopes therefor shall be paid by the respective municipality.

Sec. 35,  
Art. XXIII,  
amended.

96a. Section thirty-six, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Wording on  
envelopes.

36. Each of said envelopes shall have printed on the face thereof, in large type the words "Official Sample Primary Ballot," and in smaller type the words, "If not delivered in two days return to the prosecutor of the pleas in counties of the first class and to the municipal clerks in all other counties.

Sec. 37,  
Art. XXIII,  
amended.

97. Section thirty-seven, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sample Ballots and Envelopes Furnished to District Board of Registry and Election.

Number of  
ballots and  
envelopes.

37. The municipal clerk in each municipality in this State shall furnish to a member of each board of registry and election in his municipality, at his office, or in any other way that he sees fit, on or before Tuesday

preceding the primary election in September of each year, sufficient sample ballots and sufficient stamped envelopes to enable said board to mail said sample ballots to said voters as aforesaid. Each of said boards shall give the municipal clerk a receipt for said sample ballots and envelopes, signed by one of their members.

97a. Section forty-one, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Sec. 41,  
Art. XXIII,  
amended.

41. All said envelopes which shall have been mailed but undelivered to the addresses and shall have been returned to the municipal clerk or prosecutor of the pleas and shall be retained by said municipal clerk or prosecutor for thirty days, open to public inspection.

Undelivered  
envelopes.

98. Section forty-two, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 42,  
Art. XXIII,  
amended.

Ballots Ordered from Printer.

42. Not later than twelve o'clock noon of the Saturday preceding said primary for the general election said municipal clerks shall have had printed and on hand in his office for the use of each of said political parties official ballots equal in number to one and one-tenth times the number of votes cast by such political party at the last preceding general election for members of the General Assembly held in such election district. When an election district shall have been divided or the boundaries thereof changed, or a new district created, the municipal clerk shall ascertain as nearly as may be possible the number of voters in the new or rearranged or divided district, and provide therefor a sufficient number of ballots, in the above proportion. The cost of printing the official primary ballots shall be paid by the respective municipality.

Ballots  
ready.

New districts.

99. Section forty-four, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 44,  
Art. XXIII,  
amended.

Correction of Error in Official Ballots.

44. Whenever it shall appear that any error or omission has occurred in the copy prepared by the municipal clerk for the printer or in the printing of the official

Corrected  
ballots.

ballots for any primary election, by any municipal clerk, any voter resident in any election district affected by such error or omission may present to the justice of the Supreme Court holding the Circuit Court in and for the county containing said election district a verified statement setting forth such error or omission and such justice, being satisfied thereof, shall thereupon summarily, by his order, require the municipal clerk to correct such error and omission, or show cause why such error and omission should not be corrected.

Sec. 48,  
Art. XXIII,  
amended.

100. Section forty-eight, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

#### Registration Privilege and Requirement.

Registering  
and voting.

48. On said primary election day any voter may register for the ensuing general election without being obliged to vote at said primary election, but every voter before voting at the said primary election shall register for the ensuing general election if not already registered for said general election.

Sec. 50,  
Art. XXIII,  
amended.

100a. Section fifty, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

#### Method of Conduct.

How primary  
election con-  
ducted.

50. Said primary election for the general election shall be conducted by the district boards of registry and election substantially in the same manner as the general election, except as herein otherwise provided; *provided*, that the said board may allow one member of the board at a time to be absent from the polling place and room for a period not exceeding one hour between the hours of one o'clock and five o'clock in the afternoon or for such shorter time as they shall see fit; *provided*, that at no time from the opening of the polls to the completion of the canvass shall there be less than a majority of the board present in the polling room or place. In municipalities having a population of fifteen thousand or less the municipal clerk shall deliver to the boards of registry and election in his municipality, the poll books used in said election districts at the next preceding general election.

Proviso.

Proviso.

101. Section fifty-three, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 53,  
Art. XXIII,  
amended.

Balloting Regulations.

53. No voter shall be allowed to vote at said primary election unless his name appears on the poll-book of the previous general election, or has been placed on said primary election registry book prior to said primary day as hereinbefore provided or unless he shall produce an order of the court or county board of elections directing that he be permitted to register and vote. No voter shall be allowed to vote in the ballot-box of a political party if the name of such voter appears in the primary party poll-book of another political party as made up at the next preceding primary election.

Who may  
vote at  
primary.

Party.

102. Section fifty-six, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 56,  
Art. XXIII,  
amended.

Challenge Procedure.

56. In case a voter who desires to vote in the same political party box in which he voted at the next preceding primary election is challenged, he shall take an oath or affirmation, to be administered by a member of the district board of registry and election in the following form: "You do solemnly swear (or affirm) that you are a member of the . . . . . political party (specifying the political party in which ballot-box the affiant voted at the next preceding primary election); that at the last election for members of the General Assembly at which you voted you voted for a majority of the candidates of said party nominated for national State and county offices, and that you intend to support the candidates of said party at the ensuing election." If the person so challenged shall refuse to take the oath or affirmation so tendered to him, he shall be deemed not qualified or entitled to vote at such primary election.

If challenged.

103. Section sixty-three, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 63,  
Art. XXIII,  
amended.

## Canvassing Procedure for County Clerks.

Canvass by  
county clerk.

63. Said county clerks shall within ten days canvass said statements relating to all officers and positions to be voted for by the voters of the entire State, county, congressional district, municipality or ward, and shall determine what persons have by the highest number of votes been so elected or nominated by said political parties. In the case of United States Senator, Governor and member of the House of Representatives the said county clerk shall immediately transmit to the Secretary of State a statement showing the total number of votes cast for such officers of said county. The Secretary of State shall furnish the necessary form. In the case of members of the county committee, the county clerk within five days after the primary, shall mail to the chairman of the State committee and to the chairman of the county committee of the respective parties, a list of the names of those elected to the county committee, giving the municipalities, ward and district each represents, together with their post-office addresses.

Statement.

Sec. 69,  
Art. XXIII,  
amended.

104. Section sixty-nine, Article XXIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

## Custody of Party Primary Poll Books.

Custody of  
primary  
poll-books.

69. Said party primary poll-books shall be kept by said clerk until the ensuing primary election, and then delivered by him to the board of registry and election for use as herein provided at such ensuing primary election.

Sec. 5,  
Art. XXIV,  
amended.

105. Section five, Article XXIV, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

## Registration by Affidavit.

Placing name  
on registry  
book by  
affidavit.

5. Any voter qualified to vote at the general election in this State who did not vote at the last preceding general election, and any person who will be entitled to exercise the right of suffrage on the day of the next ensuing general election following any primary election for delegates to national conventions, may have his name placed upon said primary election registry book by filing with the county board of elections in counties

of the first class, the municipal clerks in municipalities other than county seats in counties of the first class, and the municipal clerks in all municipalities in counties other than counties of the first class, on or before the second Tuesday preceding the day of the primary, an affidavit in the form now required by this act for registering voters for any general election. Said municipal clerk on the day following the receipt of said affidavit shall file the same with the county board of elections.

106. Section fifteen, Article XXIV, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 15,  
Art. XXIV,  
amended.

Delivery of Sample Ballots to District Boards of Registry and Election.

15. On the Tuesday preceding said primary election each municipal clerk shall at his office or in any other way that he sees fit deliver to each board of registry and election in his municipality the sample ballots and stamped envelopes provided for the election districts which said board represents and take a receipt for the same signed by one of the members of said board. Said municipal clerk shall deliver not later than the Tuesday preceding said primary election to the county clerk and the county board of elections, one copy of the primary sample ballot for each district in his municipality. The cost of printing said primary sample ballots shall be paid by the respective municipality.

Delivery to  
district boards.

107. Amend the caption and heading that occurs after Section twenty-one, Article XXV, to read as follows:

Caption  
amended.

PART FIVE. ANY ELECTION.

ARTICLE XXVI.

RECOUNT OF VOTES.

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

Sec. 1,  
Art. XXVI,  
amended.

Application to Court for Recount.

1. Whenever any candidate at any election shall have reason to believe that an error has been made by any

Application  
for recount.

district board of registry and election or any board of canvassers, in counting the vote or declaring the vote of any election, whereby the result of such election has been changed, such candidate may, on or before the second Saturday following any election, apply to any justice of the Supreme Court for a recount of the votes cast at such election.

Sec. 3.  
Art. XXVI,  
amended.

107a. Section three, Article XXVI, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

#### Recount Proceedings.

Order of  
court as to  
procedure.

3. Said justice shall be authorized to order and cause, upon such terms as he may deem proper, a recount of the whole or such part of the votes as he may determine, to be publicly made under his direction by the county board of elections, which board shall have power to subpoena witnesses to testify and produce documents and paraphernalia as said board may determine, after three days' notice by such candidate to the parties interested of the time and place of such recount. The district board of registry and elections or a majority thereof may be subpoenaed to be present at such recount to witness the opening of the ballot-box or boxes used in their election district, and to give such testimony as the county board of elections may deem necessary. Said justice shall have power to decide all disputed questions which the board shall fail to decide by a majority vote thereof. The contestant, the contestee, or his or their counsel, or representative, shall have power to refer any ballot or question of procedure which he or they shall deem necessary to said justice and said justice shall have power to decide upon the validity of said ballot or determine the question of procedure.

Disputed  
questions.

Compensation  
of board  
in recounts.

Each member of the county board of elections conducting said recount shall receive compensation only for the number of hours he is actually present.

Public officers  
not to act in  
recount.

No holder of a public office, nor any State, county or municipal employee or attache, shall be hired by the county board of elections to act in any capacity connected with said recount, nor shall any holder of a public office, or State, county or municipal employee or at-

tache, except members of the county board of elections and its regular permanent employees not exceeding two in number, receive any compensation for any duties performed or services rendered in connection with said recount; but all such officials, employees or attaches, except as above stated, shall perform such duties and render such services necessary to facilitate such recount; *provided, however,* that in counties other than counties of the first class the county board of elections shall have power to employ not more than two persons to assist in conducting such recount.

Proviso.

All bills payable, or that may be payable, by any party to said recount shall be presented to such party or his counsel at least three days prior to presentation to the justice conducting said recount, for order for payment and said party or his counsel shall be entitled to subpoena witnesses and have produced at said hearing such documentary evidence as may be deemed necessary by said party.

Payment of bills.

Witnesses.

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

Sec. 1,  
Art. XXVII,  
amended.

Grounds for Contest.

I. The nomination or election of any person to any public office or party position, or the approval of any public proposition, may be contested by the voters of this State or any of its political subdivisions upon one or more of the following grounds:

Grounds for contest:

I. Malconduct, fraud or corruption on the part of the members of the board of election in any election district, or of any members of the board of county canvassers, sufficient to change the result;

Fraud;

II. When the incumbent was not eligible to the office at the time of the election;

Ineligibility;

III. When the incumbent had been duly convicted before such election of any crime which would render him incompetent to exercise the right of suffrage, and the incumbent had not been pardoned at the time of the election;

Convicted of certain crimes;

IV. When the incumbent had given or offered to any elector or any member of the board of election, clerk or canvasser, any bribe or reward, in money, property

Bribery;

or thing of value for the purpose of procuring his election;

Illegal voting; V. When illegal votes have been received, or legal votes rejected at the polls sufficient to change the result;

Errors; VI. For any error in any board of canvassers in counting the votes or declaring the result of the election, if such error would change the result;

Another elected; VII. For any other cause which shows that another was the person legally elected;

Illegal expenditures; VIII. The paying, promise to pay or expenditure of any money or other thing of value or incurring of any liability in excess of the amount permitted by this act for any purpose or in any manner not authorized by this act.

False affidavit. IX. When a petition for nomination is not filed in good faith or the affidavit annexed thereto is false or defective.

Sec. 1, Art. XXVIII, amended. 109. Section one, Article XXVIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

#### Preservation of Petitions and Other Documents.

Preservation of records, etc. 1. All petitions of nominations, affidavits attached thereto, acceptances, objections thereto and determinations of officers or courts relative to said objections and all other documents relating to elections not otherwise provided for, shall be preserved by the officer with whom they have been filed for a period of two years from any election at which the candidates named therein are to be voted for.

Sec. 24, Art. XXVIII, amended. 110. Section twenty-four, Article XXVIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

#### Application for Ballot.

Application by absentee voter for ballot. 24. Any absentee elector desiring to vote at a general election shall make application for an official ballot to the municipal clerk in any municipality other than county seats in counties of the first class and in all municipalities in counties other than counties of the first class, or the county board of election of the county in which he resides. If said application is based upon illness it shall have attached to it a physician's certificate

Physician's certificate required.

setting forth that such absentee elector's illness is such that he is or will be unable to go to the polling place or room to cast his ballot on election day. All applications shall be filed with said municipal clerk in any municipality other than county seats in counties of the first class and in all municipalities in counties other than counties of the first class or the county board of elections not later than the second Tuesday preceding the day of the general election. Said municipal clerk shall on the day following the receipt of said application file same with the county board of elections. The county board of elections shall, immediately upon receipt of said application and certificate, forward to said elector, with a return stamped envelope enclosed, a formal application.

When application made.

Blank application.

III. Section twenty-five, Article XXVIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 25, Art. XXVIII, amended.

Formal Application.

25. Notice. This application must be filed with the municipal clerk in any municipality other than county seats in counties of the first class and in all municipalities in counties other than counties of the first class or the county board of elections not later than the second Tuesday preceding the day of the general election: To the municipal clerk of.....or the county board of elections of.....county, New Jersey:

Form of application.

I, ....., residing at..... (street number), in..... (name of municipality), in the county of....., in the State of New Jersey, a duly qualified elector having resided in said State one year and in said county five months immediately preceding this application and entitled to vote at the next general election, will be absent and unable to cast my ballot on the day of the general election at the polling place in the election district in which I reside for the following reasons:.....hereby make application for an Absentee Elector's Official Ballot to be voted by me at such election.

Signed.....  
Post-office address to which ballot is to be mailed  
....."

AFFIDAVIT.

Affidavit attached.

County of....., State of....., ss.  
.....being duly sworn according to law, on his oath says that the foregoing statement is true and correct in every particular, and is made in good faith and only to enable him to cast his ballot at the next ensuing general election.

Signature of affiant.....  
Sworn and subscribed to before me at....., this.....day of..... A. D. 19....  
Official title of officer.....

Sec. 31, Art. XXVIII, amended.

112. Section thirty-one, Article XXVIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Method of casting absentee's ballot.

Casting the Absentee Elector's Official Ballot.

31. On the day of the general election in the presence of a majority of the district board of registry and election, said district board shall ascertain upon inspection of the proper register of the general election if the absentee elector who signed the declaration printed on the outer envelope is registered, and if found to be registered, shall enter his name in the poll-book, and after his name, in the remark column, shall mark the words "Absentee Elector." The outer and inner envelopes shall then be opened, the ballot removed therefrom and without being unfolded or the face of the ballot exposed to view, deposited in the ballot-box, and at the same time shall write the word "voted" in the proper column in the register and on the poll-book in the ballot number column, in lieu of such ballot number, shall be written the word "voted." The outer envelope bearing the absentee elector's signed declaration shall be placed on the proper string in lieu of a coupon. At the close of the election, the inner envelope shall be deposited in the ballot-box. Should any district board of registry and election find, after inspecting the proper register and poll-book, that any qualified absentee elector is not registered or did vote in person such inner envelope containing said absentee elector's official ballot shall not be opened but shall be placed sealed in the ballot-box after having been endorsed "Voted in

If elector voted personally.

Person" or "Not Registered", as the case may be and attested by each member of said district board.

113. Section thirty-six, Article XXVIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 36,  
Art. XXVIII,  
amended.

Request to have Question Placed on Ballot.

36. Whenever the governing body of any municipality or of any county desires to ascertain the sentiment of the legal voters of such municipality or county upon any question or policy pertaining to the government or internal affairs thereof, and there is no other statute by which such sentiment can be ascertained by the submission of such question to a vote of the electors in such municipality or county at any election hereafter to be held therein, it shall be lawful for such governing body to adopt at any regular meeting an ordinance or a resolution requesting the clerk of the county to print upon the official ballots to be used at the next ensuing general election a certain proposition to be formulated and expressed in such ordinance or resolution in concise form; *provided, however*, such request shall be filed with the clerk of the county not later than thirty days previous to such election.

Ascertaining  
local senti-  
ment by  
referendum.

Proviso.

114. Section thirty-seven, Article XXVIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 37,  
Art. XXVIII,  
amended.

County Clerk to Place Question on Ballot.

37. If a copy of such ordinance or resolution certified by the clerk or secretary of such governing body of any such municipality or county is delivered to such county clerk not less than thirty days before any such general election, he shall cause it to be printed on each sample ballot and official ballot to be printed for or used in such municipality or county, as the case may be, at the next ensuing general election.

Question  
placed on  
ballot.

115. Section thirty-eight, Article XXVIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 38,  
Art. XXVIII,  
amended.

Canvass of Votes.

38. The said ballots so cast for or against said public question shall be counted and the result thereof re-

Ascertaining  
result.

turned by the election officers and a canvass of such election had and announced in the same manner as is now provided by law.

Sec. 40,  
Art. XXVIII,  
amended.

116. Section forty, Article XXVIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

When Provisions Operative.

When op-  
erative.

40. Said submission of public question in the manner herein provided shall not become operative in any municipality or county until the governing body thereof shall, by ordinance or resolution duly passed, declare its desire to submit any question or questions in this manner.

Sec. 43,  
Art. XXVIII,  
amended.

117. Section forty-three, Article XXVIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Nomination.

Nominations.

43. Said officers and officials shall be nominated as in this act provided. All petitions and nominations, acceptances thereof, appointment of committees and statement of contributions and expenses as required by the provisions of an act entitled "An act to regulate elections" (Revision of 1920), passed May fifth, one thousand nine hundred and twenty, and the acts amendatory thereof and supplemental thereto, for said primary election and said general election shall be filed with the clerk of the county in which said municipalities are located.

Sec. 44,  
Art. XXVIII,  
amended.

118. Section forty-four, Article XXVIII, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Conduct of Primary and General Election.

How primary  
election con-  
ducted.

44. The primary for said general election and the general election within municipalities that are to become consolidated shall be held in the manner provided for in this act at the polling places within the election districts and wards fixed and determined in the manner designated in the act providing for the formation of said city.

119. Section two, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 2,  
Art. XXIX,  
amended.

Limit for Candidate for Governor.

2. The amount which may be spent in aid of the candidacy of any candidate for nomination for Governor at any primary election of a political party shall not exceed fifty thousand dollars. The amount which may be spent in aid of the candidacy of any candidate for election to the office of Governor at any general election shall not exceed fifty thousand dollars.

Expenditures  
in gubernatorial  
elections.

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

Sec. 3,  
Art. XXIX,  
amended.

Limit for Candidate for U. S. Senate.

3. The amount which may be spent in aid of the candidacy of any candidate for nomination for United States Senator at any primary election of a political party shall not exceed fifty thousand dollars. The amount which may be spent in aid of the candidacy of any candidate for the office of United States Senator at any general or special election shall not exceed fifty thousand dollars.

Expenditure  
in senatorial  
election.

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

Sec. 4,  
Art. XXIX,  
amended.

Limit for Candidate for U. S. Congress.

4. The amount which may be spent in aid of the candidacy of any candidate for nomination for member of Congress at any primary election of a political party shall not exceed seventy-five hundred dollars. The amount which may be spent in aid of the candidacy of any candidate for election to the office of member of Congress at any general election shall not exceed seventy-five hundred dollars.

Allowance  
for congress-  
sional candi-  
dates.

122. Section five, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 5,  
Art. XXIX,  
amended.

Limit for Candidate for State Senate.

5. The amount which may be spent in aid of the candidacy of any candidate for nomination for State

Allowance  
for county  
senators.

Senator at any primary election of a political party shall not exceed five cents for each voter who voted in the county at the last preceding general election at which presidential electors were chosen. The amount to be spend in aid of the candidacy of any candidate for election for the office of State Senator at any general election shall not exceed five cents for each voter who voted in the county at the last preceding general election at which presidential electors were chosen.

Sec. 8,  
Art. XXIX,  
amended.

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

Limit for Candidates for County Office With No Fixed Salary.

Amount  
allowed when  
no fixed  
salary.

8. The amount which may be spent in aid of the candidacy of any candidate for nomination of any county office, having no fixed annual salary, at any primary election of a political party, shall not exceed five cents for each voter who voted at the last preceding general election at which presidential electors were chosen in said county, or in the portion of said county in which such candidate is to be voted for. The amount which may be spent in aid of the candidacy of any candidate for election to any county office, having no fixed annual salary, at any election, shall not exceed five cents for each voter who voted at the last preceding general election at which presidential electors were chosen in said county, or in the portion thereof in which such candidate is to be voted for.

Sec. 10,  
Art. XXIX,  
amended.

124. Section ten, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Limit for Candidate for Party Delegates.

Expenditures  
allowed dele-  
gates.

10. The amount which may be spent in aid of the candidacy of any candidate for the party position of delegate at large to a national convention shall not exceed ten thousand dollars, and the amount which may be spent in aid of the candidacy of any candidate for the position of delegate to a national convention from any district shall not exceed ten thousand dollars.

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

Sec. 12,  
Art. XXIX,  
amended.

Limit for Candidate for State Committee.

12. The amount which may be spent in aid of the candidacy of any candidate for the position of member of the State Committee shall not exceed one thousand dollars. The amount which may be spent in aid of the candidacy of any candidate for the position of member of any county committee, city or municipal committee of any political party shall not exceed fifty dollars.

Amount spent  
by candidate  
for State  
Committee,

126. Section thirteen, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 13,  
Art. XXIX,  
amended.

Appointment.

13. Every candidate for nomination for or election to the office of United States Senator, member of Congress or Governor shall, before receiving any contribution or expending any money in furtherance or aid of his candidacy, appoint a campaign manager and file a certificate of such appointment, signed by such candidate with the cashier of a National or State bank authorized to transact a banking business in this State, or with the treasurer of a trust company organized and existing under the laws of this State, and shall also file a certificate of the appointment of a campaign manager and the designated depository in the office wherein the petition for nomination for such office is required to be filed. All other candidates for nomination for any public office or for election to any office or party position, who are permitted by this act to expend more than two hundred dollars in furtherance or aid of their candidacy, shall, before receiving any contribution or expending any money in furtherance or aid of their candidacy, appoint a campaign manager and file a certificate of such appointment in the office wherein the petition for nomination for such office is required to be filed. Any candidate may appoint himself as campaign manager, which appointment shall be certified in the same manner as the appointments above referred to. Two or more candidates for nomination for any public

Campaign  
manager.

Depository.

Candidate  
as own  
manager.

- office or for election to any public office or party position may arrange to conduct a joint campaign, in which event they shall jointly appoint a campaign manager and select a bank or trust company, filing certificates of such appointment and selection as in the case of a candidate for the office of United States Senator, Member of Congress or Governor; provided, however, that any candidate who is prohibited by this act from expending more than two hundred dollars in furtherance or aid of his candidacy shall not be required to appoint a campaign manager or to file any statement of contributions or expenditures as required by this act.
- 126a. Section seventeen, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:
- Time Limit for Contributions.
17. All contributions in furtherance or in aid of the candidacy of a candidate for nomination for or election to any public office or party position who is required to appoint a campaign manager, shall be sent to the campaign manager of such candidate at least five days before the election at which such candidate is to be voted for. Any contribution received by such campaign manager less than five days before the election at which such candidate is to be voted for shall be returned by said campaign manager to the person sending the same, and shall not, under any circumstances be used or expended in behalf of such candidate, or in furtherance or aid of his candidacy.
- 126b. Section eighteen, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:
- Deposit of Contributions.
18. Any contribution received by any campaign manager of a candidate required to designate a depository for campaign funds shall, within twenty-four hours, excluding Sundays, after the same shall have been received by him, be deposited by such campaign manager in the bank or trust company in which the certificate of appointment of such manager has been filed, in a special account, to be designated (Primary or Election,
- Joint campaign.
- Proviso.
- Sec. 17, Art. XXIX, amended.
- Contributions, when received.
- Return of contributions.
- Sec. 18, Art. XXIX, amended.
- Deposit of contributions.

as the case may be) "Campaign fund of . . . . .  
 (naming candidate)." In case of a joint campaign, Joint deposits.  
 the account to the credit of which such funds shall be  
 deposited shall be designated "Joint campaign fund of  
 . . . . . (naming all of the candidates joining in such  
 campaign)." No deposit shall be made or received to Deposit slips.  
 credit of any such fund unless such deposit shall be  
 accompanied by a deposit slip containing in detail the  
 true name and post office address of each person, asso-  
 ciation or corporation contributing any part of the money  
 so deposited, and the amount contributed by each such  
 person, association or corporation. Such deposit slip  
 shall be retained by such bank or trust company and  
 disposed of as herein directed.

126c. Section twenty, Article XXIX, of the act to Sec. 20,  
 Art. XXIX,  
 amended.  
 which this act is an amendment be and the same is  
 hereby amended so as to read as follows:

Solicited Contributions Forwarded to Campaign Man-  
 agers.

20. All such contributions, when received in behalf Source and  
 amount shown.  
 of any particular candidate, shall be forwarded by the  
 said committee to the campaign manager of such candi-  
 date, or to such candidate if not required to appoint  
 a campaign manager, together with a statement of the  
 amount of each contribution, and the name and post  
 office address of the person making the same.

126d. Section twenty-one, Article XXIX, of the act Sec. 21,  
 Art. XXIX,  
 amended.  
 to which this act is an amendment be and the same  
 is hereby amended so as to read as follows:

Allotment of General Solicited Contributions.

21. If such committee received contributions on be- Allotment  
 of contribu-  
 tions.  
 half of all the candidates upon any party or group of  
 petitioners' ticket, the chairman or presiding officer of  
 such committee shall have the power to allot such con-  
 tributions to the credit of any one of the candidates  
 on said ticket or to apportion such contributions among  
 said candidates, but all such contributions shall be for-  
 forwarded to the campaign manager of each candidate to  
 whom any allotment is made, or to such candidate if  
 not required to appoint a campaign manager, with a  
 statement of the names and addresses of contributors

and the amount contributed by each, as hereinbefore provided.

Sec. 22,  
Art. XXIX,  
amended.

126e. Section twenty-two, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Deposit of Solicited Contributions.

Deposit of  
subscriptions.

22. All such contributions so forwarded, if received within the time limited by this act, shall be deposited by such campaign manager in the bank or trust company selected by said candidate, as above provided, to the credit of the campaign fund of such candidate, if such candidate is required to designate a depository for campaign funds. In case the State, county or municipal committee or organization of any political party, or any other committee, association, society or corporation, shall forward money to the campaign manager of any candidate, or to any candidate, which money shall have been solicited and received by said committee, association, society or corporation as contributions to the campaign fund of such candidate, as statement of the amount of each contribution, and the name and post office address of the person making the same, shall accompany said money, when forwarded to said campaign manager or candidate, as aforesaid, said manager, if manager for a candidate required to designate a depository for campaign funds, shall copy said list on the deposit slip accompanying the deposit of said money in the campaign fund of said candidate.

Sec. 23,  
Art. XXIX,  
amended.

126f. Section twenty-three, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Contributions by Candidates.

Contributions  
by candidates.

23. It shall be lawful for any State committee, county committee or municipal committee of any political party, after the primary election, but not before such election, to receive contributions from any candidate of any such party, such contributions to be spent in aid of the candidacy of the contributor or of the candidates of such party, and may be expended for the following purposes only; expenses in connection with the conduct of public meetings, for advertising in newspapers or periodicals,

Expenditures.

and for the preparation and mailing of letters, and for the hire of watchers at the polls on any election day. Such contributions, when made by such candidates, shall be accompanied by a statement of the campaign manager of such candidate, or of such candidate, of the specific purpose for which such contribution is to be expended, and shall be paid to said committee by said campaign manager from the campaign fund for such candidate, in the manner outlined in this act for the expenditure of money from such campaign fund, if such candidate is required to designate a depository for campaign funds, and such moneys shall be expended by said committee for no purpose other than that so named. Any person who shall expend or aid or assist in the expenditure of any such moneys for any purpose not authorized by this section, or for any purpose not named in the statement accompanying such contribution, shall be guilty of a misdemeanor and liable to the punishment provided by law for misdemeanors. Within ten days after the annual meeting of such State, county or city committee, it shall be the duty of the person who has had the custody of the moneys contributed to or on account of any State, county or city committee during the year ending at said annual meeting, to file with the Secretary of State, in case of the State committee, and with the county clerk, in the case of the county or city committee, a statement of the amount of money received by or on behalf of said committee during said year, together with the names and addresses of the persons from whom such money was received, and also a statement of the purposes for which said money was expended, itemized as to all items in excess of five dollars, and with a general statement as to the purposes for which the items less than five dollars were expended. The person making such statement shall make affidavit that the same is true.

Statement of purposes of payments.

Unauthorized expenditures.

Statement by custodian of funds.

126g. Section twenty-four, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 24, Art. XXIX, amended.

Expenditures Restricted to Deposits.

24. No campaign manager, for a candidate required to designate a depository for campaign funds, shall

Expenses not to exceed funds available.

authorize in the manner provided by this act, or in any other manner, the incurring of any expense in behalf of the candidate whose campaign he is managing, or in furtherance or aid of his candidacy, unless there are moneys on deposit in the bank selected in accordance with the provisions of this act, to the credit of the account known as the campaign fund of such candidate sufficient to pay the amount of expenditure so authorized, together with all other expenditures previously authorized. Any contract made or liability incurred for any purpose or in any manner except as authorized by this act shall be absolutely void.

Sec. 25,  
Art. XXIX,  
amended.

126h. Section twenty-five, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Written Authorization of Expenditure Required.

Order auth-  
orizing ex-  
penditures  
and with-  
drawal of  
funds.

25. No expenses shall be incurred by any candidate required to designate a depository for campaign funds, or by any person, corporation or association whatsoever in behalf of such candidate, or in furtherance or aid of his candidacy unless prior to the incurring of such expense a written order shall be made in the form below set forth and signed by the campaign manager of such candidate, authorizing such expenditure, and no money shall be withdrawn or paid by any bank or trust company from any campaign fund account except upon the presentation of such written order, signed as aforesaid, accompanied by the affidavit of the person claiming such payment, which affidavit shall state that the amount named in the order, or such part thereof as may be claimed, naming the amount claimed, is justly due and owing to such claimant, and that the order truly states all of the purposes for which such indebtedness was incurred, and that no person other than the undersigned is interested, directly or indirectly, in the payment of such claim and unless an order for payment in the form below set forth, signed by the campaign manager, is presented to such bank or trust company.

Sec. 28,  
Art. XXIX,  
amended.

127. Section twenty-eight, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

## Time Restriction for Expenditures.

28. The time during which such expenditures may be made and for which accounting shall be required shall be the period of eight months next preceding the election at which such candidate is to be voted for in the case of candidate for office of Governor and United States Senator and four months in the case of all other candidates for office, and no money, or other thing of value, shall be paid or promised, or expense authorized or incurred by or in behalf of any candidate in furtherance or in aid of his candidacy prior to the commencement of such time; *provided, however,* that any person who publicly announces his candidacy for nomination for or election to any public office or party position prior to the commencement of such period before the election at which such person is to be voted for, and who appoints a campaign manager and selects a bank or trust company in the manner hereinafter provided, prior to the commencement of said period, may make expenditures authorized by this act, but such expenditures shall be made and accounted for in the manner provided by this act.

Time for expenditures.

Proviso.

127a. Section thirty-two, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 32,  
Art. XXIX,  
amended.

## Payment After Time Limit.

32. The judge of the Court of Common Pleas in the county wherein the statement of expenses of a candidate is required to be filed, or in case the statement of expenses is required to be filed in the office of the Secretary of State, then any justice of the Supreme Court, may on the application of either the campaign manager or a creditor, allow any bill incurred in aid of the candidacy of any person to be paid after the time limited by this act; *provided,* that the expenditure of such money has been duly authorized in the manner and form as required by this act, and a statement of any sum so paid, with the certificate of its allowance, shall forthwith after payment be filed by the campaign manager in the same office as the statement of campaign expenses of the candidates is required to be filed. The claims of one or more creditors may be united in one

Payment after  
time limit by  
order of court.

Proviso.

Payment  
of claims.

application, but the amount and specific character of each claim shall be separately stated. Any claim ordered to be paid by the Common Pleas judge as aforesaid, shall be paid from the account known as the campaign fund of the candidate, if such candidate is required to designate a depository for campaign funds, on deposit in the bank or trust company selected by the candidate in accordance with the provisions of this act, or if such account has been closed then from any other funds in the hands of the candidate or his manager.

Sec. 33,  
Art. XXIX,  
amended.

128. Section thirty-three, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

#### Contents of Statement.

Itemized  
statement  
filed before  
election.

33. On the Friday or Saturday next preceding any primary, general, municipal or special election, the campaign manager of any candidate who is to be voted for at such election shall file, as hereinafter provided with the officer with whom the candidate is required to file his acceptance of nomination, an itemized statement, showing in detail all moneys, or other thing of value, contributed, donated, subscribed or in anywise furnished or received for the use of such candidate, or coming into his custody or under his control, directly or indirectly, as campaign manager for such candidate, together with the name and address of and the amount contributed, donated or subscribed by each contributor, donor or subscriber, to the date of such statement, together with a statement of the total amount expended, or liability incurred by or on behalf of such candidate, or in furtherance or in aid of such candidacy; *provided, however,* that any candidate who is prohibited by this act from expending more than one hundred dollars shall not be required to file a statement prior to any election; *provided, however,* that, if in the statement herein required, no money has been received or expended, no further statement shall be required of a candidate or of a campaign manager after said election.

Proviso.

Proviso.

Sec. 34,  
Art. XXIX,  
amended.

129. Section thirty-four, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

## Verification of Statement by Campaign Manager.

34. Such statement shall be verified by the affidavit of the said campaign manager, which affidavit shall be substantially in the following form:

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

I, .....(name of campaign manager), being campaign manager of.....(name of candidate), a candidate for nomination for (or election to, as the case may be) the office (or party position, as the case may be) of.....(name of office or party position) at the.....(primary or general, as the case may be) election, to be held on the..... day of.....in the.....(county, district or other political division of) in the State of New Jersey, do solemnly swear (or affirm) that the foregoing statement is a true and accurate statement in detail of all moneys contributed, donated, subscribed or in anywise furnished or received for the use of said candidate as aforesaid, or coming into my custody or under my control, directly or indirectly, as campaign manager for such candidate, together with the name and address of each contributor, donor or subscriber or furnisher, and the amount contributed, donated, subscribed or furnished by each; that all said moneys were deposited by me within twenty-four hours after the same were received, in the.....bank, to the credit of the account known as the campaign fund of....., with a true and accurate list of each contributor, or donor, or subscriber, or furnisher thereof, and the amount contributed, donated, subscribed, or furnished by each; that no money, or other thing of value, has been received by me, or in anywise come into my custody or under my control, except as above stated; that to the best of my knowledge, information and belief, no money has been received by said candidate, or by anyone in his behalf, for use in aid of or in furtherance of his candidacy, except as above stated; that the above statement of the total amount expended or liability incurred by or in behalf of the said candidate, or in aid of or in furtherance of his candidacy, is a true and accurate statement; that no money has been expended, and no expenditure has been authorized by me, directly

Statement  
verified by  
affidavit.

Form of.

or indirectly, for any purpose or in any manner not permitted by law, and that to the best of my knowledge, information and belief no money has been expended by said candidate, or by anyone in his behalf, or in furtherance or aid of his candidacy for any purpose or in any manner not authorized by law; that no moneys were expended by me in furtherance of or in aid of said candidacy prior to the.....day of..... (the date eight or four months prior to the primary, general, municipal or special election at which said candidate is to be voted for, or, in case said candidate has publicly announced his candidacy at an earlier date than eight or four months prior to the election at which such candidate is to be voted for, then the affidavit in lieu of the last clause shall contain the following:) that said .....publicly announced his candidacy for nomination for (or election to, as the case may be) the office (or party position, as the case may be) of..... on the.....day of.....and on the .....day of.....I was appointed campaign manager of said campaign; that no money was expended by me in furtherance of or in aid of such candidacy prior to the date of my said appointment, and that, as I am informed and believe, no money was expended by the said candidate, or by anyone in his behalf, or in furtherance of or in aid of his candidacy, prior to the date of my said appointment as campaign manager; *provided, however,* that when the candidate is also his own campaign manager, the statement required by Section 35, this Article, need not be filed. The portion of this statement regarding the deposits of campaign funds shall be omitted when the candidate is not required to designate a depository.

Proviso.

Sec. 35, Art. XXIX, amended.

130. Section thirty-five, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Verification of Statement by Candidate.

Affidavit of verification by candidate.

35. The said candidate shall also make and attach to said statement an affidavit substantially in the following form:

State of New Jersey, County of....., SS. Form of.

I, ..... (give name), a candidate for.....  
 at the (primary, special, charter or general, as the case  
 may be) election, to be held in the State of.....  
 (county of....., district of....., or  
 other political division, as the case may be), on the....  
 .....day of....., do solemnly swear  
 (or affirm) that I have not received or contributed any  
 money, or other thing of value, for use in my candi-  
 dacy, or to be expended in furtherance of or in aid of  
 said candidacy, except as appears in the above state-  
 ment; that all money, or other thing of value which has  
 come into my hands for use in my said candidacy has  
 been immediately turned over to....., the  
 above named campaign manager; that the above state-  
 ment of the total amount expended in my behalf, or in  
 furtherance of or in aid of my said candidacy, is true,  
 to the best of my knowledge, information and belief;  
 that I have not expended any money, or other thing of  
 value, or incurred any liability, or authorized the ex-  
 penditure of money, or other thing of value, or the  
 incurrence of any liability for any purpose other than  
 that permitted by law, or in any manner except through  
 my said campaign manager, in the manner required by  
 this act; that to the best of my knowledge, information  
 and belief no money has been expended by anyone in  
 my behalf, or in furtherance of or in aid of my candi-  
 dacy for any purpose nor in any manner not authorized  
 by said act; that no money was expended by me, nor, to  
 the best of my knowledge, information and belief, by  
 anyone in my behalf, prior to the.....day of  
 ..... (eight or four months prior to the elec-  
 tion day at which such candidate is to be voted for, or,  
 if said candidate publicly announced his intention of be-  
 coming a candidate at an earlier date than eight or four  
 months prior to said election day, then the affidavit in  
 lieu of the last preceding sentence shall contain the fol-  
 lowing:) that I publicly announced my candidacy for  
 nomination for (or election to, as the case may be) the  
 office (or party position, as the case may be) of.....  
 .....on the.....day of.....  
 and appointed.....as my campaign manager

on the.....day of.....; that prior to the appointment of my said campaign manager no money, or other thing of value, was expended, or liability incurred, by me, nor was the expenditure of any money, or other thing of value, or the incurring of any liability in furtherance of or in aid of my candidacy, by anyone whatsoever, authorized by me prior to the..... day of....., the date of the appointment of my said campaign manager.

Sec. 36, Art. XXIX, amended.

131. Section thirty-six, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Contents of Statement.

Statement to be filed after election.

36. Within twenty days after any primary, general, municipal or special election, the campaign manager of any candidate for nomination for or candidate for election to any public office or party position shall file, as hereinafter provided, with the officer with whom the candidate is required to file his acceptance of nomination a statement of the total amount expended, or liability incurred, by or in behalf of such candidate, or in furtherance of or in aid of such candidacy, which statement shall include the total amount named in the statement of expenses filed prior to such election, as well as the total amount of expenses incurred subsequent to the date of filing such last-named statement.

Sec. 37, Art. XXIX, amended.

131a. Section thirty-seven, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Verification of Statement by Campaign Manager.

Statement verified.

37. Such statement shall be verified by the affidavit of such campaign manager, which affidavit shall be in substantially the following form:

Form of.

State of New Jersey, County of....., ss.  
I, ..... (name of campaign manager), campaign manager of ..... (name of candidate), a candidate for ..... at the ..... (primary, special, charter or general, as the case may be) election, held in the State of ..... (county of....., district of ....., or other political division, as the case may be), on the ..... day of .....

do solemnly swear (or affirm) that no money has been received by me in behalf of such candidate, or come into my custody, or under my control, directly or indirectly, since the . . . . . day of . . . . . (five days previous to the election at which such candidate was voted for) ; that the foregoing statement is a true and accurate statement of the total amount expended or liability incurred by or in behalf of said candidate, or in furtherance of or in aid of his said candidacy ; that no money has been expended and no expenditure has been authorized by me, directly or indirectly, for any purpose or in any manner not permitted by law, and that, to the best of my knowledge, information and belief, no money has been expended by said candidate, or by anyone in his behalf, or in furtherance or aid of his candidacy, for any purpose, or in any manner not authorized by law ; that I have not authorized, directly or indirectly, the expenditure of any money, or other thing of value, or the incurring of any liability in furtherance or in aid of the candidacy of said . . . . ., except from the campaign fund of said . . . . ., duly deposited in the . . . . . bank (or trust company, as the case may be), and that every voucher upon which funds have been withdrawn from said account has truly stated the purpose for which such withdrawal was made. The portion of this statement regarding deposits of campaign funds shall be omitted when the candidate is not required to designate a depository.

132. Section thirty-eight, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows :

Sec. 38,  
Art. XXIX,  
amended.

Verification of Statement by Candidate.

38. Such statement shall also be verified by the affidavit of the candidate, in substantially the following form :

Statement  
of total  
expenditures  
verified by  
candidate.

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

I, . . . . . (giving name), a candidate for . . . . . at the (primary, special, charter or general, as the case may be) election, to be held in the State of . . . . . (county of . . . . ., district of . . . . . or other political division, as the case may be), on the . . . . . day of . . . . ., do solemnly swear (or

affirm) that I have not received or contributed any money, or other thing of value, for use in my said candidacy, or to be expended in furtherance or in aid of said candidacy, after the . . . . . day of . . . . ., nineteen hundred and . . . . . (the date five days previous to the election at which such candidate was voted for); that the above statement of the total amount expended in my behalf, or in the furtherance or aid of my said candidacy, is true, to the best of my knowledge, information and belief; that I have not expended any money, or other thing of value, or incurred any liability, or authorized the expenditure of any money, or other thing of value, or the incurrence of any liability for any purpose other than that permitted by law, or in any manner except through . . . . . (name of campaign manager), my campaign manager, in the manner required by an act entitled "An act to regulate elections (Revision 1920) passed May fifth, one thousand nine hundred and twenty" and the amendments thereto and the supplements thereof: that to the best of my knowledge, information and belief no money has been expended by anyone in my behalf, or in furtherance or aid of my candidacy for any purpose or in any manner not authorized by said act.

Sec. 42,  
Art. XXIX,  
amended.

133. Section forty-two, Article XXIX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

**Scope of Statement.**

Statement  
by depository.

42. Within twenty days after any primary, general, municipal or special election, the cashier or treasurer of the bank or trust company selected by any candidate at said election, as above provided, if any money was deposited, shall file, as hereinafter provided, all of the deposit slips presented to said bank with any deposit of moneys to the account known as the campaign fund of such candidate, arranged in the order of their respective dates, and all of the vouchers presented to said bank upon which any funds were withdrawn from any such account, arranged in the order of their respective dates.

Sec. 1,  
Art. XXX,  
amended.

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

## Elections Held at Public Expense.

1. All general elections, special elections, municipal elections, primary elections for general elections and primary elections for delegates and alternates to national conventions, held in this State or in any of the political subdivisions shall be conducted at the expense of such State or its political subdivisions.

Meeting elec-  
tion expenses.

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

Sec. 4,  
Art. XXX,  
amended.

## Authorized Expenditures by County.

4. All costs, charges and expenses incurred by the county clerk, county board of elections or by any other officer or official of a county in carrying out the provisions of this act and the salaries of the members of the county board of elections, the salaries and compensation for extra services of the clerk and other employees of the county board of elections and the compensation of the members of the district boards of registry and election (except as herein otherwise provided) shall be paid by the county, upon certification by said county clerk, county board of elections or other county officer or official.

County's share  
of expense.

135-a. Section five, Article XXX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Sec. 5,  
Art. XXX,  
amended.

## Authorized Expenditures by Municipalities.

5. All costs, charges and expenses incurred by the municipal clerk, or by any other officer or official of a municipality in carrying out the provisions of this act shall be paid by said municipality (except as herein otherwise provided); *provided, however*, that where any election is held in and for a municipality only, all costs, charges and expenses including the compensation of the members of the district boards of registry and election of said municipality and the compensation and expenses of the county board of elections and the clerk thereof, for such elections, shall be paid by said municipality.

Municipalities'  
share of  
expenses.

Proviso.

Sec. 6,  
Art. XXX,  
amended.

136. Section six, Article XXX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Compensation of Members of District Boards of Registry and Election.

Pay of boards  
of election.

6. The compensation of each member of the district boards of registry and election for all services performed by them under the provisions of this act shall be as follows:

Rates of com-  
pensation.

For each registry day other than the primary registry day, including the services in making the house-to-house canvass in municipalities having a population of less than fifteen thousand, ten dollars; for the primary registry day, including all services rendered in holding the primary election, except services in mailing the ballots, twenty-five dollars; for mailing the primary election for the general election sample ballots, two dollars; for making up the registry books for the primary election for delegates and alternates to national conventions, three dollars; for mailing the sample ballots for the primary election for delegates and alternates to national conventions, two dollars; for mailing the general election sample ballots, three dollars; for all services on election day, including counting of votes and delivery of returns and ballot-box, with contents to the municipal clerk, eighteen dollars; for all services at any special election, fifteen dollars; for all services in holding the primary election for delegates and alternates to national conventions, fifteen dollars. The same shall be in lieu of all other fees and payments whatsoever.

Special elec-  
tions.

Sec. 7,  
Art. XXX,  
amended.

137. Section seven, Article XXX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Compensation of Members and Clerks of County Boards of Election.

Compensation  
of county  
boards.

7. The members of the several county boards of elections shall receive compensation which shall be as follows: In counties having a population exceeding five hundred thousand, fifteen hundred dollars per annum; in counties having a population of not more than five

hundred thousand or less than two hundred thousand, twelve hundred dollars per annum; in counties having a population of not more than two hundred thousand or less than one hundred and fifty thousand, nine hundred dollars per annum; in counties having a population of not more than one hundred and fifty thousand or less than one hundred thousand, six hundred dollars per annum; in counties having a population of not more than one hundred thousand or less than eighty-two thousand, five hundred dollars per annum; in counties having a population of not more than eighty-two thousand or less than fifty thousand, four hundred dollars per annum; in counties having a population of not more than fifty thousand or less than forty thousand, three hundred dollars per annum; in counties having a population of less than forty thousand, two hundred dollars per annum; *provided, however*, that the member of the county board of elections in counties other than counties of the first class who shall be the secretary thereof and who shall perform the clerical duties thereof shall receive an additional compensation of one-half of the compensation of the individual members of said board. The compensation of the clerks of the county boards of elections in counties of the first class shall be as follows: for the first year of service in such position the sum of twenty-five hundred dollars per annum to be increased at the rate of one hundred and fifty dollars per annum for each year of service, to the maximum of forty-five hundred dollars per annum; and the compensation of the assistant clerks shall be, for the first year of service in such positions the sum of two thousand dollars per annum, to be increased at the rate of one hundred dollars per annum for each year of service to the maximum of thirty-five hundred dollars per annum; and the compensation of the clerk-stenographer shall be fixed by the respective county boards of elections, to be paid by the county collector semi-monthly as other county employees are paid; *provided, however*, that this act shall be applicable to the present as well as to the future incumbents and the years of service for such clerks heretofore or hereafter

Proviso.

Compensation  
of clerks to  
county boards.

Proviso.

appointed shall be computed from the time of their respective appointments to such positions.

Sec. 9,  
Art. XXX,  
amended.

138. Section nine, Article XXX, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Compensation of County and Municipal Clerks.

County and  
municipal  
clerks com-  
pensated.

9. The boards of chosen freeholders in the several counties shall have power to pay the county clerks for extra duties and services imposed upon them and performed by them under this act, the amount of which to be fixed by such boards of chosen freeholders and the governing bodies of the several municipalities in this State shall have power to pay the municipal clerks for extra duties and services imposed upon them and performed by them under this act, the amount of which to be fixed by such governing body.

Sec. 19a,  
Art. XXXI,  
added.

139. After section nineteen, Article XXXI, insert new section to be known as 19a, to read as follows:

Electioneering.

Electioneer-  
ing in or  
about polls.

19a. If any person shall distribute or display any circular or printed matter or offer any suggestion or solicit any support for any candidate, party or public question within the polling place or room or within a distance of one hundred feet of the outside entrance to such polling place or room, such person so offending shall be guilty of a misdemeanor.

Sec. 27,  
Art. XXXI,  
amended.

139a. Section twenty-seven, Article XXXI, of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Violating  
oath.

27. If any judge, inspector, clerk or other officer of a primary election as aforesaid shall presume to act in such a capacity before taking and subscribing to the oath or affirmation required by this act, or shall wilfully disregard or violate the provisions of any rule duly made by the party of which he is a member, and for whom he is acting, for the government of the primary elections of the party, or if any judge or inspector of any primary election as aforesaid shall knowingly reject the vote of any person entitled to vote under the rules of the said party or shall knowingly receive the vote of any person or persons not qualified as aforesaid,

or if any judge, inspector, clerk or any other officer of a primary election, as aforesaid shall commit any wilful fraud in the discharge of his duties by destroying or marking any ballot in any way before such ballot is delivered to the voter or defacing ballots, adding marks to the poll by false counting, by making false returns or by any act or thing whatsoever, the person or persons so offending shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year or both at the discretion of the court.

Fraudulently  
discharging  
duties.

139b. Section seventy-seven, Article XXXI, of the act to which this act is an amendment, be and the same is hereby amended so as to read as follows:

Sec. 77,  
Art. XXXI,  
amended.

Incriminating Testimony Not Used Against Witnesses.

77. No person called by the State to testify in any proceedings under this act shall be liable to a criminal prosecution, either under this act or otherwise, for any matters or causes in respect to which he shall be examined, or to which his testimony shall relate, except to a prosecution for bribery committed in such testimony; nor shall any person, when called to testify in any trial for a violation of this act, be privileged to refuse to answer any questions which may be asked him, upon the ground that the same will tend to degrade or incriminate him.

Incriminating  
evidence not  
used  
against wit-  
ness.

140. 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 8, 1921.

## CHAPTER 197.

An Act to amend an act entitled "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," which supplement was approved March twenty-eighth, one thousand nine hundred and ten.

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

Sec. 3  
amended.

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

Sources of  
fund.

The board of park commissioners of every such county shall, monthly and in each month, pay to the treasurer of said fund all moneys collected in payment of fines imposed upon members of the police force, all moneys deducted or withheld from the pay of members of the police force by reason of absence from duty from any cause, which moneys shall constitute part of said police pension or retirement fund; to said fund there shall also be added any moneys from time to time donated to this purpose, and all moneys derived from the sale of unclaimed goods or property coming into the possession of the police department of such county park commission; to such fund there shall also be added the moneys collected by subscription or assessment from or upon the members of the police force or department of such county park commission, which subscription or assessment shall be at least one per centum per annum and not more than three per centum per annum, in the discretion of the said board of park commissioners, of the annual salary of every such member of the police force or department, in order to entitle him to the benefits of such pension or retirement fund as hereinafter provided; and such assessment shall be collected semi-monthly from the salary of said members of said police force. *Provided, however,* that if any member of said

Proviso.

police force in good standing shall voluntarily retire from said department, and his resignation be accepted, said park commission shall return to said member all the assessments paid into said fund by said member; and in case of the death of any member of said police force, while in the employ of said park commission, and who at his death was not receiving a pension as provided for in this act, said park commission shall return to the legal representatives of said member all the assessments paid into said fund by said member. On the first day of January in every year there shall also

Contribution  
by park com-  
mission.

be added to such fund a sum equal to at least five per centum of the salaries in aggregate paid to said police force during the preceding year, which sum shall be taken from the funds in possession of said county park commission for the maintenance of the parks under its control.

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

Section 4  
amended.

Each of the persons hereinafter specified shall be entitled to receive a pension for life from the fund herein directed to be established, equal to one-half of his salary at the time of his retirement; *provided*, said fund shall be sufficient for the payment of the pension hereinafter provided for; and in case it shall not be sufficient for that purpose at any time, then all of said pensions shall abate proportionately. Every member of the police force or department of such county park commission having paid into the fund the full amount of the annual assessments or contributions of at least one per centum of his salary and who shall have received permanent disability from injury or sickness incurred while in actual service, so as to incapacitate him from duty, upon the certificate of the police surgeon or other physician or board of physicians designated by the park commissioners for this purpose. Every member of the police force or department of such county park commission having paid into the fund the full amount of the annual assessments or contributions of at least one per centum of his salary and who shall have attained the age of fifty years and have served in all for a period of twenty years in said police force or department, such service not being re-

Beneficiaries.

Proviso.

Conditions.

Retirement.

As to widows  
and children.

quired to be continuous, may, by the vote of said park commission, be so pensioned and retired, and shall, upon reaching the age of sixty years, and having served for a period of twenty years aforesaid, be, on application of such member, pensioned and retired. The widow of every member of the police force or department of such county park commission having paid into the fund the full amount of the annual assessments or contributions of at least one per centum of his salary and who shall have lost his life in the performance of duty shall, so long as she remains unmarried, receive a pension equivalent to one-half the pay of her deceased husband, and at her death, unmarried, her minor children, until the youngest reaches the age of fourteen years, shall receive the amount of said pension for their support.

3. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 198.

An Act providing for the retirement of the employees of the water department in municipalities of this State including all employees having supervision or regulation of the said water department and providing a pension for such retired employees of the water department and the widows, of deceased employees of said department.

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

Pensions for  
employees of  
water de-  
partments.

1. In all municipalities of this State, any employee of the water department, including all employees having supervision or regulation of said water department, who shall have honorably served in such department for a period of twenty-five years, and attained the age of sixty, shall, upon his own application, be retired on half pay, and any employee of any such department who

shall have honorably served for a period of twenty years, and attained the age of sixty-five years shall be retired on half pay and the widow of every retired employee of such water department, who, while an employee of such department having paid into the fund the full amount of his annual assessments or contributions and continued so to do after his retirement until his death, and who shall die from causes other than injuries received in the performance of duty, shall, so long as she remains unmarried, receive a pension equivalent to one-half of the pay of her deceased husband, at the time of his retirement, not exceeding one thousand dollars for the use of herself; *provided, however*, that she was married to her said deceased husband before the date of his retirement and before he arrived at the age of sixty years. All such retirements to be made and pensions allowed by the pension commission hereinafter created.

Retirement  
on age.

Pension.

Proviso.

2. Any employee of such water department who shall have received permanent disability in the performance of his duty, shall, upon certificate of the surgeon or the physician designated for that purpose by the pension commission, be retired upon a pension equal to one-half of his salary at the time of his retirement; where, however, a person shall desire to retire by reason of injury or disease, said person shall make application in writing to the pension commission for such retirement, whereupon the pension commission shall call to their assistance the aid of a surgeon or physician who shall represent said commission, and the person making the application may likewise call to his aid a regularly licensed and practicing physician or surgeon. The president of the board of pension commissions is authorized to administer oaths to said physicians or any other person called with respect to the matter before the commission shall determine, by resolution, whether said person is entitled to the benefits of this act. In case the two physicians called as hereinbefore provided fail to agree upon the physical condition of the applicant, then the pension commission may call a third disinterested licensed and practicing physician or surgeon and the determination of the majority of said three physicians,

Retirement  
for disability.

Medical ex-  
amination.

who, being first duly sworn in the case, shall be reduced to writing and signed by them, and the pension commission shall consider the same in arriving at their decision.

As to widows.

3. The widow of any employee of the water department, having paid in the fund the full amount of his annual assessment or contributions, who shall have lost his life in the performance of his duty, or who shall die from causes other than injuries received in the performance of duty, shall receive a pension equal to one-half of the salary of such employee at the time of his death, not exceeding one thousand dollars; *provided*, no widow shall be entitled to a pension who shall have married any such employee after he shall have attained the age of sixty years; *and provided, further*, that if any widow entitled to a pension as aforesaid remarry, then such pension shall cease and shall not be paid to such widow or her children.

Proviso.

Proviso.

Sources of fund.

4. A fund shall be created in the following manner for the purpose of paying such pensions to wit: There shall be deducted from every payment of salary to such employee of the water department in such municipality two per centum of the amount thereof, providing such employee entered such service on or before the age of thirty-five years; if any employee enters service after the age of thirty-five years, then such percentage shall be increased to such an amount as shall be determined by the pension commission to correspond to the risk arising by the additional age of the employee. The municipality shall raise by taxation and pay into said fund yearly, the amount equal to four per centum of the total salaries paid to the employees of the water department. There shall also be added to such fund the following moneys; all moneys given or donated to such fund; all moneys deducted from the salary of any employee of the water department on account of absence, or loss of time. In case there shall not be sufficient money in said pension fund created as aforesaid, the common council or other governing body shall include in any tax levy a sum sufficient to meet the requirements of said fund for the time being.

Share of municipality.

Further additions to fund.

Pension commission.

5. In all municipalities in which this act shall take effect, there shall be established a pension commission of

five members, consisting of the mayor or other chief executor of the municipality, the chief financial officer of the municipality and two employees of the water department, which employees shall be nominated at a meeting or meetings held by the employees of the said water department in November and elected by them at a meeting to be held about the middle of December of each year at a date to be fixed by each body; the term of the members of said commission elected by the employees of the water department shall be two years; the fifth member of said commission shall be a citizen who is not holding office under the municipality and shall be selected by the other four members of the pension commission, and shall hold office for the term of one year. In case of vacancy for any cause, the commission shall have power to fill such vacancy until the next election. The said commission shall hold its first and annual meeting on the first day of January, in each year, and elect its president from its members, and also a secretary from the employees of the water department or any one from outside the said department as the commission may see fit, whose compensation the commission shall have power to fix.

Terms.

Organization.

6. The said pension commission shall have control and management of said fund and of the retirement of the employees of the said department, and are hereby empowered to make all necessary rules and regulations regarding the same not inconsistent with this act. All moneys belonging to said pension fund shall be received and paid over to the treasurer of the municipality, whose official bond shall cover the same. No funds shall be paid out of said fund except upon a warrant of the commission, signed by its president and secretary.

Rules and regulations.

7. The adoption of the act shall be submitted to the voters of any municipality by the governing body at any general election or special election held for such purpose, upon the presentation of a petition for its adoption, signed by at least ten per centum of the legal voters, but which shall not be submitted to such an election until at least thirty days after the date of filing said petition. The question of the adoption of this act shall, through action of the governing body, be placed upon a ballot at

Referendum.

any general election, or be submitted at a special election, in the manner required by law in such cases. If a majority of the legal voters voting at such election shall adopt this act, it shall take effect immediately, but the organization and establishment of the funds shall not take place until the first day of January, following such election.

As to constitutionality of act.

8. In case for any reason any paragraph 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 paragraph or provision of this act.

Repealer.

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

Approved April 8, 1921.

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#### CHAPTER 199.

A Supplement to an act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions in this State," approved April twenty-fifth, one thousand nine hundred and eleven, the title to which was amended to read as above set forth by an act approved April second, one thousand nine hundred and twelve.

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

Election districts in municipal elections.

1. Wherever in any city in this State, a municipal election under the provisions of the act to which this act is a supplement shall be held prior to the first day of June, one thousand nine hundred and twenty-one, the election districts in such city as constituted at the last preceding general election shall be preserved for such municipal election.

2. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 200.

An Act to provide for the retirement and pensioning of any honorably discharged soldier, sailor, or marine, who served in the War of the Rebellion, after he has been employed and has served for twenty years, continuously, as the proxy, or assistant or substitute stenographic reporter under one or more of the official stenographers in the courts in this State, and defining the manner of payment of such pension, and how the money therefor is to be raised; and for the continuance of the pension on the decease of such retired person, to his widow, if she be over seventy years of age and was his wife during all of said twenty years.

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

1. Whenever any honorably discharged Union soldier, sailor or marine, who served in the War of the Rebellion, has been employed and has served for twenty years continuously, in the position of proxy, or as assistant or substitute stenographic reporter, under one or more of the official stenographers or official reporters, in any of the courts of this State, it shall, upon the request of such employee or servant, or with his assent, be the duty of the justice or other official or person having power to appoint a successor to such employee or servant or to fix the salary of official court reporters, to order that he be retired from such position and service, and that thereupon and thereafter a pension be paid to him or to his widow as provided in the following sections of this act.

Retirement  
of assist-  
ant court  
reporter.

2. The person retired as provided in section one of this act, shall be entitled for and during his natural life, to receive by way of pension, a sum of money equal to

Amount of  
pension.

one-half the amount of the salary or wages that he was receiving at the time of his retirement; but in no case less than one hundred dollars per month, and the said pension shall be paid in the same manner and method and out of the same fund or moneys from which his salary was payable at his retirement, or from such other fund or moneys as may be substituted therefor by law hereafter.

Making application by widow.

3. In case a person eligible to pension under this act, shall be disabled by physical or mental ailment from applying for such retirement and pension, then his wife or a duly appointed committee of his person, may make such application on his behalf, and shall be paid his pension for his maintenance during his natural life.

Widows' pension.

4. If a person who is entitled to a pension under the first section of this act shall die leaving a widow him surviving, and she is over seventy years of age and was his wife during all of his said employment or service for twenty years as defined in said section, then the pension sum to which he would be entitled in life shall be paid to such widow during her natural life.

Certification by justice.

5. The justice or other person or persons having authority or power to fix, designate or apportion the salaries of any official stenographers or the proxies, assistants or substitutes of the same in courts of this State, shall, when certifying the amount of such salaries, or in making requisition for moneys to pay the same, include the amounts of the pensions payable under this act.

Provision for funds.

6. The money required for the payment of pensions granted under this act shall be raised in the same manner as other moneys are raised for the payment of the necessary costs of the operation and maintenance of the courts.

Waiver.

7. Acceptance of pension under this act shall be a waiver of right to a pension for the same cause herein mentioned under any other pension act of this State.

8. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 201.

An Act authorizing the creation of a debt of the State of New Jersey for the construction, extension and concerning the institutions of the State under the State Board of Control of Institutions and Agencies, by the issuing of bonds in an amount not to exceed fourteen million dollars; providing the ways and means for the payment of the interest accruing on said debt and for the payment of the principal of said debt at maturity, and the expenses in connection therewith, and providing for the submission of this law to the people at the next general election.

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

1. Bonds of the State of New Jersey are hereby authorized in principal amount not exceeding fourteen million dollars (\$14,000,000.00) for the purpose of paying the cost of constructing, reconstructing, developing, extending and equipping existing and additional charitable, hospital, relief, training, correctional, reformatory and penal institutions or appurtenances thereto and of acquiring land or lands, rights and easements, insofar as such costs are necessary in connection with the construction or equipment of such State institutional buildings, railroad spur tracks and sidings, power houses, heating and lighting plants, water supply and sewage disposal plants, industrial and manufacturing plants and appurtenances thereto, or any other construction necessary for the proper erection, operation, construction or reconstruction of such institutions. Said bonds shall be known as "State Institution Bonds" and shall be payable in not to exceed thirty years from date of issue, but may be issued in whole or in part for a shorter term, as the issuing officials may determine.

Proposed bond issue.

Amount.

Purposes.

Name of bonds.

Bonds an  
obligation  
of State.

2. Bonds issued in accordance with the provisions of this act shall be a direct obligation of the State of New Jersey, and the faith and credit of the State are hereby pledged for the payment of the interest thereon when due, and the payment of the principal at maturity. The principal and interest of such bonds shall be exempt from taxation by the State or by any county, municipality, school district, or other taxing district.

Tax ex-  
emptions.

Commission  
to issue bonds.

3. The Governor, State Treasurer and Comptroller of the Treasury, constituting the State House Commission, or any two of such officials (herein sometimes referred to as the "issuing officials") are hereby authorized to carry out the provisions of this act relating to the issuance of said bonds, and to determine all matters in connection therewith subject to the provisions hereof. In case any of said officials shall be absent from the State or incapable of acting for any reason, his powers and duties shall be exercised and performed by such person as shall be authorized by law to act in his place as a State official.

Evidence of  
validity.

4. Said bonds shall be signed in the name of the State by the Governor or by his facsimile signature under the great seal of the State, and attested by the Secretary of State or an assistant Secretary of State, and shall be countersigned by the Comptroller of the Treasury or the deputy Comptroller. Interest coupons attached to such bonds shall be signed by the facsimile signature of the Comptroller of the Treasury. Such bonds may be issued notwithstanding that any of the officials signing them or whose facsimile signatures appear on the bonds or coupons have ceased to hold office at the time of such issue or at the time of delivery of said bonds to the purchaser.

Ccoupons.

Recital in  
bond.

5. (a) Said bonds shall recite that they are issued in pursuance of this act, and that this act was submitted to the people of the State at the general election held in the month of November, one thousand nine hundred and twenty-one, and that it received the sanction of a majority of the votes cast for and against it at such election. Such recital in said bonds shall be conclusive evidence of the authority of the State to issue said bonds and of their validity.

(b) Said bonds shall be in such form as may be determined by the issuing officials. They shall be of the denomination of one hundred dollars, or multiples thereof, not exceeding fifty thousand dollars, as the issuing officials may determine, and may be coupon bonds, or may be registered as to principal only with interest coupons attached, or may be registered as to both principal and interest, as the issuing officials shall determine.

Form.  
Denomina-  
tions.

(c) The holders of coupon bonds shall be given the privilege of surrendering such bonds and receiving in lieu thereof registered bonds without coupons, or of having such coupon bonds registered as to principal only. The holders of registered bonds may be given the privilege of surrendering such bonds and of receiving in lieu thereof new registered bonds of a larger or smaller denomination.

Exchange of  
bonds.

(d) The issuing officials are hereby authorized to make rules and regulations for the exchange, transfer, conversion and registration of said bonds.

Regulations.

6. Said bonds shall be issued by the issuing officials from time to time as money is required for the purposes for which they are authorized as certified by the State Board of Control of Institutions and Agencies. If issued from time to time, the bonds of each issue or installment shall constitute a separate series to be designated by the issuing officials. Each series of bonds shall bear such rate of interest, not exceeding six per centum per annum, as may be determined by the issuing officials, which interest shall be payable semi-annually, providing that the first installment of interest may be for a longer or shorter period in order that later installments may be payable at convenient dates.

Series of  
issues.

Rate of in-  
terest.

7. Said bonds shall be sold at not less than par and accrued interest, after notice of sale published at least three times, the first publication not less than two weeks previous to the sale, in at least six newspapers published in the State of New Jersey and in one financial paper published in the city of New York and of Philadelphia respectively. The said notice of sale may contain a provision to the effect that any or all bids made in pursuance thereof may be rejected. In the event of such

Sale.

Notice of.

rejection, the issuing officials are authorized to give further notice of sale, in the manner above described, as many times as in their judgment may be necessary to effect a satisfactory sale. The issuing officials may sell all or part of the bonds of any series as issued to the sinking fund herein provided or to the sinking fund of any other bonds issued by the State at private sale without advertisement.

Temporary  
certificates.

8. Until permanent bonds can be prepared the issuing officials may, in their discretion issue, in lieu of such permanent bonds, temporary bonds or certificates in such form and with such privileges as to the registration and exchange for permanent bonds as they may determine.

Use of pro-  
ceeds.

9. The proceeds realized from the sale of the bonds, including all premiums received together with interest from deposits received from depositories, shall be paid to the State Treasurer and held by him in a separate fund which shall be known as the "State Institution Construction Fund," which fund is hereby specifically dedicated for the purposes for which the said bonds are authorized as herein enumerated.

Name of  
fund.

Destroyed  
bonds.

10. In case any coupon bond and the coupons thereunto appertaining, or any registered bond, shall become mutilated or destroyed, a new bond shall be executed and delivered, of like tenor, amount, date and series in exchange and substitution for the mutilated or destroyed bond or coupons. In case of destruction, the applicant for a substituted bond shall furnish to the State House Commission evidence satisfactory to it of such destruction, and also such security and indemnity in equal amount as may be required by it.

Expenses met  
from fund.

11. Any expense incurred by the issuing officials for advertising, engraving, printing, clerical, legal or other service necessary to carry out the duties imposed upon them by the provisions of this act, shall be paid from the proceeds of the sale of said bonds by the Treasurer of the State upon the warrant of the Comptroller in the same manner as other obligations of the State are paid.

Division  
of fund.

12. An amount not in excess of ten million one hundred and fifty-three thousand nine hundred and seventy-five (\$10,153,975.00) dollars, is hereby appropriated from the State Institution Construction Fund to pay

the cost of constructing, reconstructing, developing, extending and equipping existing charitable, hospital, relief, training, correctional, reformatory and penal institutions or appurtenances thereto and of acquiring land or lands, rights and easements, insofar as such costs are necessary in connection with the construction or equipment of existing State institutional buildings, railroad spur tracks and sidings, power houses, heating and lighting plants, water supply and sewage disposal plants, industrial and manufacturing plants and appurtenances thereto or any other construction necessary for the proper erection, operation, construction or reconstruction of existing institutions, as now or hereafter constituted and three million seven hundred and seventy-six thousand and twenty-five (\$3,776,025.00) dollars is hereby appropriated to pay the cost of constructing, developing, extending and equipping the State Training School for Feeble-Minded Males, State Training School for Feeble-Minded Females, State Institution for Defective Males, and State Psychopathic Hospital or appurtenances thereto and of acquiring land or lands, rights and easements, insofar as such costs are necessary in connection with the construction of the aforesaid additional State institutions including buildings, railroad spur tracks and railroad sidings, power houses, heating and lighting plants, water supply and sewage disposal plants, industrial and manufacturing plants and appurtenances thereto or any other construction necessary for their proper erection, operation, construction, or reconstruction, as hereafter constituted.

13. The term "existing charitable, hospital, relief, training, correctional, reformatory and penal institutions" as used in this act shall be construed to mean any existing institutions of this description as now constituted or as hereafter constituted in accordance with this or any other law, and it shall in each case be deemed to include all the approaches or appurtenances to such institutions, improved or unimproved, artificial or natural, which are found to be necessary for the proper development and management or the proper care and treatment of the patients or inmates of any of the aforesaid

Existing  
institutions  
meant.

institutions, but it shall not be deemed to include public school buildings.

Additional  
institutions  
construed.

14. The term "additional charitable, hospital, relief, training, correctional, reformatory and penal institutions" as used in this act shall be construed to mean such additional institutions of this description as may be developed in accordance with this or any other law and it shall in each case be deemed to include all the approaches and appurtenances to any such proposed additional institutions, whether improved or unimproved, artificial or natural, which are found to be necessary for the proper construction, development and management or proper care and treatment of the patients and inmates of any of the said additional institutions, but it shall not be deemed to include public school buildings.

"Construction"  
defined.

15. The term "construction" as used in this act shall be construed to mean the construction of additional charitable, hospital, relief, training, correctional, reformatory and penal institutions, the reconstruction of such existing institutions and the provision of such additions and improvements in the proposed additional institutions and in existing institutions as cannot be classed properly as repairs; *provided, however*, that none of the moneys realized from the sale of bonds authorized in accordance with this act shall be used to pay the cost of the replacement of any object purchased with the proceeds of the sale of bonds authorized by this act.

Proviso.

"Equipment."

16. The term "equipment" as used in this act shall be construed to mean the provision of proper facilities for the operation and management of existing or additional charitable, hospital, relief, training, correctional, reformatory and penal institutions for the purposes for which they are created, including heating, lighting, water supply, power and sewage disposal plants and fixtures, and other sanitary facilities, manufacturing, industrial and other machinery used in the production of goods, but shall not be construed to include live stock, vehicles, farm tools and machinery, other machinery, tools and equipment, materials, office equipment, furniture, ordinary household equipment, and other ordinary supplies, materials and equipment which are consumed in use or which are ordinarily used up or

worn out through use or deterioration in less than fifteen (15) years.

17. A sinking fund is hereby established for the retirement of the principal of said bonds. Beginning with the year after the date of issue of each series of bonds, and in each year thereafter, an amount shall be paid as hereinafter provided, into the said sinking fund, which would, if thereafter annually contributed to said fund, with the fund in hand, and interest on said fund and on such annual contributions at the rate of three and one-half per centum, compounded annually, be sufficient to pay the principal of the outstanding bonds of each series at their maturity, and such fund is hereby appropriated for such payment. The said amounts required to be contributed in each year on account of all series of bonds are sometimes herein referred to as the "Sinking Fund requirement."

Sinking fund.  
Provision to  
pay principal.

18. A Sinking Fund Commission is hereby created, which shall consist of the Governor, the Comptroller of the Treasury and the State Treasurer. The commission shall be governed by such rules and regulations as it may, from time to time adopt. The commission shall have the care and management of the sinking fund which is hereby established, and custody and control of all sinking fund moneys, securities, papers and records appertaining thereto. The State Treasurer shall be treasurer of the commission and shall deposit all moneys received as hereinafter prescribed in such depository or depositories as he shall determine. He shall give a bond in such sum as shall be determined by the Sinking Fund Commission, premium for which shall be paid from the tax revenues herein provided. The Sinking Fund Commission shall also pay from the sinking funds all bonds authorized hereunder as same shall become due and payable. The Sinking Fund Commission shall invest, reinvest and keep invested all moneys coming into its control only in the securities or investments authorized by this act. It shall have power to sell or convert into cash such securities or investments, as may be necessary, from time to time, to provide funds for the payment of said bonds upon maturity, or for the purpose of protecting the sinking fund from loss or for bettering the in-

Sinking fund  
commission.

Duties.

Treasurer.

Bonded.

Investments.

Conversion of  
securities.

Accounts and records.	vestment. It shall be the duty of the commission to keep accurate and detailed books of account covering all moneys coming into its custody, and the investment, return on investment, increase or loss thereon and the expenditure thereof; to make reports as and when required and to permit access to and inspection of accounts and records by any person duly authorized by the State.
Audit.	The Department of Municipal Accounts shall audit said sinking fund each year and its certificate of audit shall accompany the annual reports.
Character of investments.	19. Investment of sinking fund moneys shall be limited to the bonds of the Government of the United States, bonds of the State of New Jersey, including bonds issued hereunder, and the bonds of any county, school district or municipality of this State, and the negotiable notes of any county, school district or municipality of this State. It shall be lawful for the Sinking Fund Commission to purchase at private sale the bonds issued by the State (including bonds issued hereunder) at the time of their issuance, any law relating to the public sale thereof to the contrary notwithstanding. To effectuate such purchase, the issuing officials may, by resolution, set apart a portion of the bonds of any series and sell same to the sinking fund and offer the remainder to the public. Bonds issued hereunder, when held by the sinking fund created hereby, may be cancelled after the calendar year one thousand nine hundred and thirty from surplus in the sinking fund only, which is over and above the requirements herein set forth. When the sinking fund of any series of bonds shall equal the amount of the uncanceled bonds of such series, no further contributions shall be required to be made thereto and when the amount in the sinking fund to the credit of any series of bonds shall be sufficient with three and one-half per centum interest compounded annually to equal the principal of the outstanding bonds of such series at maturity no further contributions shall be required to be made thereto except to make good any losses which may occur.
Purchase of bonds.	
How purchase effected.	
Contributions to sinking fund.	
Provision for interest on bonds.	20. On or before the fifteenth day of December in the year one thousand nine hundred and twenty-one, and annually thereafter, the Sinking Fund Commission

shall certify to the Governor and to the Comptroller of the Treasury (who shall deliver same to the chairman of the Appropriation Committee next appointed), the amount necessary for the interest on all outstanding bonds for the State fiscal year next ensuing, and the interest on bonds it is proposed to issue before the end of such State fiscal year, together with the amount necessary for the sinking fund requirement for the next ensuing calendar year; *provided, however*, that to and including the year one thousand nine hundred and twenty-eight, such interest and sinking fund requirement shall not be less than eight hundred and fifty thousand (\$850,000.00) dollars annually, and such portion of said eight hundred and fifty thousand dollars when so certified as not needed for interest for such State fiscal year shall be turned over to the sinking fund. The amount herein directed to be certified is hereby specifically appropriated for interest and sinking fund purposes and shall be first and paramount lien on the revenues of the State. The sinking fund requirements shall be paid to the Sinking Fund Commission during the month of December of the year for which they are to be certified. The amount to be certified for interest and sinking fund requirements as herein set forth shall be included in the budget message sent by the Governor to the Legislature and by the Appropriation Committee in their appropriations for the ensuing State fiscal year; *provided, however*, if the amounts necessary for the payment of the interest on such bonds when due or the sinking fund requirements when due for payment to the Sinking Fund Commission, shall not be included in the appropriations made as herein directed, the Treasurer of the State is directed to pay forthwith such interest out of the funds in the general treasury, when due, and the sinking fund requirements as directed herein.

21. For the purpose of complying with the provisions of the State Constitution, this act shall, at the general election to be held in the month of November, one thousand nine hundred and twenty-one, be submitted to the people. In order to inform the people of the contents of this act, it shall be the duty of the Secretary of State, after this section shall take effect and

Proviso.

Appropriation  
a paramount  
lien.Amount cer-  
tified.

Proviso.

Referendum.

Notice of  
election.

at least thirty days prior to the said election, to cause this act to be published at least once in at least ten newspapers published in different counties of the State. It shall be the duty of the Secretary of State to arrange, in accordance with the statutes of this State in such case made and provided, for such submission, of which submission the same notice shall be given as is required by law to be given of said election, and the people of the State may at such election vote for and against the sanction or rejection of this act in the following manner:

Provisions for submission.

Printed on ballot.

There shall be printed on each official ballot the following: "If you favor the taking effect of the act entitled below, mark an X in the square opposite the word "Yes".

Question submitted.

If you are opposed to the taking effect of the act entitled below, mark an X in the square opposite the word "No".

	Yes	"An act authorizing the creation of a debt of the State of New Jersey for the construction, extension and concerning the institutions of the State under the State Board of Control of Institutions and Agencies, by the issuing of bonds in an amount not to exceed fourteen million dollars; providing the ways and means for the payment of the interest accruing on said debt and for the payment of the principal of said debt at maturity, and the expenses in connection therewith, and providing for the submission of this law to the people at the next general election," approved ..... one thousand nine hundred and twenty-one, be adopted.
	No	

The date of the approval of this act shall be inserted in the appropriate place in said ballot.

The said ballots so cast for and against this act shall be counted and the result thereof returned by the election officer, and a canvass of such election had in the same manner as is now provided for by law in the case of the election of a Governor, and the sanction or rejection of this act so determined shall be declared in the same manner as the result of an election for a Governor, and if there shall be a majority of all the votes cast for and against it at such election in favor of the sanction of this act, then all of the provisions of this act shall take effect forthwith.

Determination  
of election.

22. This section and the preceding section of this act shall take effect immediately, and the remainder of this act shall take effect as and when provided in the preceding section.

Act effective.

Approved April 8, 1921.

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CHAPTER 202.

An Act in relation to the lien of spinners, throwsters, manufacturers, bleachers, mercerizers, dyers, printers or finishers of cotton, wool, silk or artificial silk, or goods of which cotton, wool, silk or artificial silk form a component part.

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

1. All persons or corporations engaged in the business of spinning, throwing, manufacturing, bleaching, mercerizing, dyeing, printing or finishing cotton, wool, silk or artificial silk, or goods of which cotton, wool, silk or artificial silk form a component part, shall be entitled to a lien upon goods and property of others that may come or may have come into their possession for the purpose of being spun, thrown, manufactured, bleached, mercerized, dyed, printed, or finished, for the amount that may be due to them from the owners of

Lien on goods  
in possession  
for certain  
purposes.

such cotton, wool, silk and artificial silk, or goods of which cotton, wool, silk or artificial silk form a component part, by reason of any work or labor performed or materials furnished in and about the spinning, throwing, manufacturing, bleaching, mercerizing, dyeing, printing or finishing or otherwise treating or processing of the same or others goods of such owner or owners.

Enforcement  
of lien.

2. Such lien shall not be waived, suspended or impaired by the recovery of any judgment, or the taking of any bill or note, for the money due, for such work, labor or materials and such lien may be enforced as though such judgment had not been recovered or such bill or note taken.

Sale of goods  
for amount  
of lien.

3. When any person or corporation engaged in the business of spinning, throwing, manufacturing, bleaching, mercerizing, dyeing, printing or finishing cotton, wool, silk or artificial silk, or goods of which cotton, wool, silk or artificial silk form a component part, may have a lien on the goods and property of others that may have come into their possession for the purpose of being spun, thrown, manufactured, bleached, mercerized, dyed, printed or finished, or otherwise treated and processed and the amount due thereon shall remain due and unpaid either in whole or part, for the space of three months after the same becomes due and payable, it shall be lawful for the person or corporation having said lien to expose said cotton, wool, silk or artificial silk or goods and property for sale at public auction, upon a notice of sale being first published for the space of two weeks, at least once in each week, preceding the day of sale, in some newspaper published in the county in which the said goods or property are located, and also five days' notice of sale set up in five or more public places in said county, one whereof shall be in the township, borough, ward or city in which said goods or property are located, and, if the residence can be ascertained of said owner or owners a copy of the printed notice be mailed to the said owner or owners at least five days before the day of sale; and the proceeds of said sale shall be applied to the payment of such lien and the expenses of such sale;

Notice of  
sale.

Proceeds of  
sale.

and no more of such goods or property shall be sold, if they are easily separated or divided, than shall be necessary as near as may be, to pay such lien and expenses, and the balance of the proceeds of sale of said goods or property, if any, shall be paid to or delivered to the owner or owners entitled thereto. Nothing in this section contained shall be construed to be in derogation of the right of the lienor to enforce the lien by any other lawful procedure.

4. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 203.

An Act to amend an act entitled "An act to regulate elections (Revision 1920)," May fifth, one thousand nine hundred and twenty.

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

1. Section thirty-five of article fifteen of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Section 35  
amended.

35. At any election any person who declares under oath and establishes to the satisfaction of a majority of all the members of the district board of registry and election that by reason of blindness he is unable to mark his ballot without assistance. Such voter may have the assistance of some person of his own selection in preparing his ballot. Such person shall retire with such voter to the booth and assist him in the preparation of his ballot and folding the same. The member acting as clerk of the district board of registry and election shall make an entry in the poll-book, which entry shall be in the form of an oath and shall be printed at the end of the poll-book, and shall be numbered with the voter's number and in every instance when such oath was administered to a voter as herein provided, it shall state

Voter's helper  
for blind.

Procedure.

briefly what facts were sworn to and the name and address of the person who aided such voter. No other person than the one so selected by the voter shall be allowed to assist such voter in marking his ballot or to witness the marking of the same. No person so selected shall reveal the name of any person for whom such voter has voted, or anything that took place while such voter was being assisted.

2. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 204.

An Act to amend an act entitled "An act concerning auto busses, commonly called jitneys, and their operation in cities," approved March seventeenth, one thousand nine hundred and sixteen.

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

Section 2  
amended.

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

Consent to  
use streets.

2. No auto bus as defined herein shall be operated wholly or partly along any street in any city until the owner or owners thereof shall obtain the consent of the board or body having control of public streets in such city for the operation of such auto bus and the use of any street or streets of said city; and no such consent shall become effective and no such operation shall be permitted until the owner of such auto bus in any city shall have filed with the chief fiscal officer of the city in which said auto bus shall be licensed and operated an insurance policy of a company duly licensed to transact business under the insurance laws of the State of New Jersey in the sum of five thousand dollars (\$5,000) against loss from the liability imposed by

Liability  
insurance  
necessary.

law upon the auto bus owner for damages on account of bodily injury or death suffered by any person or persons as a result of an accident occurring by reason of the ownership, maintenance or use of such auto bus upon the public streets of such city, and such consent shall continue effective and such operation be permitted only so long as such insurance to the full and collectible amount of five thousand dollars (\$5,000) shall remain in force, during the entire term of the policy; such insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance and use of such auto bus or any fault in respect thereto and shall be for the benefit of any person suffering loss, damage or injury as aforesaid; *and provided, further*, that a power of attorney shall be executed and delivered to such fiscal officer concurrently with the filing of a policy hereinbefore referred to, wherein and whereby the said owner shall nominate, constitute and appoint such fiscal officer his true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy filed. Any such consent may be revoked by the governing body of the city granting the same after notice and hearing whenever it shall appear that the person to whom such consent was granted has failed to furnish and keep in force the insurance and the power of attorney herein required, or to comply with any terms or conditions imposed by the board or body granting such consent or any law of the State of New Jersey.

2. All acts or parts of acts inconsistent herewith are hereby repealed to the extent of such inconsistencies.

3. This act shall take effect immediately.

Approved April 8, 1921.

Payment of  
final judgment.

Proviso.

Agent to  
acknowledge  
service.

Consent  
revocable.

Repealer.

## CHAPTER 205.

An Act respecting the foreclosure of mortgages and validating certain sales made therein.

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

Transfer of  
right and title  
of defendant  
by sheriff's  
deed.

1. Whenever any suit in equity to foreclose the equity of redemption of defendants in mortgaged premises, such proceedings shall have been had in the Court of Chancery or other court of competent jurisdiction that a final decree has been entered against the defendants named in any bill of complaint or other original pleading, by virtue of which proceedings a sale of said premises shall have been made by the sheriff of any county of this State, which sale shall have been confirmed by order of any court of competent jurisdiction and a deed for said premises shall have been delivered by the sheriff of any county aforesaid to the purchaser of said mortgaged premises, said deed shall transfer to the purchaser or purchasers, all the right, title and interest of said defendants named in the bill of complaint or other pleadings aforesaid, who shall have been brought into court by publication, notwithstanding that in any order of publication which may have been entered in said cause, or notice served thereunder, or in any decree pro confesso, or in any final decree, or execution issued thereunder, any defendant who may have been made a party defendant to said bill or other original pleading, in a representative capacity has been designated in said order, notice, decree pro confesso, final decree or execution thereunder by his representative title or not; *provided*, it appear that such person or corporation was actually named by his, her, or its own proper name in such order of publication, and notice thereof published thereunder, decree pro confesso, and final decree, and execution issued thereunder; *and provided, also*, that the proof or publication of said order and notice, and

Proviso.

Proviso.

the decree pro confesso, and final decree, and execution issued thereunder discloses compliance in all other respects with the law and rules of court in such case made and provided.

2. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 206.

An Act to amend an act entitled "A supplement to an act entitled 'An act for the better regulating and control of the taking, planting and cultivating of oysters on lands lying in the tidal waters of the Delaware bay and Maurice river cove, in the State of New Jersey,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine.

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

1. Hereafter no lease shall be made by the State oyster commission of the State of New Jersey for any lands under the waters of Delaware bay southwesterly of a line northwest from a cluster of old piling at a point formerly known as the mouth of Green creek, Cape May county, to the intersection of such line with a line running direct from the mouth of Dennis creek to Brandywine lighthouse; *provided, however,* that this prohibition shall not apply to any territory which was under lease from the State Oyster Commission of the State of New Jersey on the first day of February, one thousand nine hundred and five.

Lands not to be leased.

Proviso.

2. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 207.

An Act for the relief of certain persons who served in the military or naval forces of the United States in the war between the United States and the German Empire and its allies.

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

Payment to  
soldiers on  
account of  
loss of sight.

1. Any soldier, as defined in this act, who served in the military or naval forces of the United States during the war between the United States and the German Empire and its allies, and who has sustained a total loss of sight as a result of said services, shall be paid out of the treasury of this State, for the term of his life, the sum of three hundred dollars annually, to be paid in semi-annual payments.

Proof of dis-  
ability.

2. The evidence of such service and of such disability in each case shall be furnished to the Adjutant-General of the State of New Jersey. Said Adjutant-General shall examine the same, and upon being satisfied that such service was performed and that the said person has been rendered totally blind as a result thereof, he shall so certify to the State Comptroller, and upon receipt of same the State Comptroller shall draw his warrant on the State Treasurer in favor of the applicant, in the sum of three hundred dollars annually, for the time and in the manner hereinbefore provided.

"Soldier"  
defined.

3. The word "soldier" as used in this act shall be taken to mean and include any officer, soldier, sailor, marine, nurse or any other person regularly enlisted or inducted, who was or is a part of the military or naval forces of the United States in the war with Germany and her allies, and who was a resident of the State of New Jersey at the time he was commissioned, enlisted, inducted, appointed or mustered into the military or naval service of the United States, and who has been

or may be given an honorable or ordinary discharge or release from such service.

4. To carry out the provisions of this act the sum of two thousand dollars is hereby appropriated when included in any annual or supplemental appropriation bill. Appropriation.

5. This act shall take effect immediately.  
Approved April 8, 1921.

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CHAPTER 208.

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.

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

1. The terms used in this act shall be construed as follows, unless other meaning is clearly apparent from the language or context, or unless such construction is inconsistent with the manifest intention of the Legislature. Definitions.

(1) The term "motor vehicle" includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks. Motor vehicle.

(2) The term "motor cycle" shall include all motor operated vehicles of the bicycle or tricycle type, whether the motive power be a part thereof or attached thereto, and having pedals and saddle with driver sitting astride, or a platform on which said driver stands. Motor cycle.

(3) The term "automobile" includes all motor vehicles except motor cycles. Automobile.

(4) The term "omnibus" as used in this act shall include all motor vehicles used for the transportation of Omnibus.

*New Jersey State Library*

passengers for hire, except such vehicles as are used to transport children to and from school outside of a city, provided such motor vehicle is not otherwise used in the transportation of passengers for hire.

Commercial  
motor vehicle.

(5) "Commercial motor vehicle" as used in this act shall include every type of motor-driven vehicle used for commercial purposes on the highways, such as the transportation of goods, wares, or merchandise, excepting such vehicles as are run only upon rails or tracks.

Motor-drawn  
vehicle.

(6) The term "motor-drawn vehicles" as used in this act shall include trailers, semi-trailers, or any other type of vehicle drawn by a motor-driven vehicle.

Tractor.

(7) The term "tractor" as used in this act is a motor-driven vehicle designed for drawing other vehicles but having no provision for carrying loads independently.

Trailer.

(8) The term "trailer" as used in this act is a vehicle of more than two wheels designed to carry a load wholly on its own structure and for being drawn by a motor-driven vehicle, except those running exclusively on tracks.

Semi-trailer.

(9) The term "semi-trailer" as used in this act is a two-wheeled vehicle without motor power, drawn by a motor-driven vehicle, and so designed and used in connection with a self-propelled vehicle that a considerable part of its own weight rests upon the towing vehicle.

Manufacturer.

(10) The term "manufacturer" as used in this act is an individual, partnership, or corporation engaged in the business of manufacturing or assembling motor vehicles, who will, under normal business conditions during the year, manufacture or assemble at least ten new motor vehicles.

Dealer.

(11) The term "dealer" as used in this act, shall include every person, firm, or corporation actively engaged in the business of buying, selling, or exchanging motor vehicles or motor cycles and who has an established place of business.

Magistrate.

(12) The word "magistrate" shall be deemed and understood to mean and include all justices of the peace, judges of the city criminal courts, police justices, recorders, mayors, and other officers having the power of a committing magistrate.

## EXEMPTIONS.

2. Automobile fire engines and such self-propelling vehicles as are used neither for the conveyancing of persons for hire, pleasure, or business, nor for the transportation of freight, such as steam road rollers, and traction engines, are excepted from the provisions of this act. No fee shall be charged for the registration of motor vehicles owned by the United States, the State of New Jersey, or by any city, borough, incorporated town, township, or county, duly authorized volunteer fire department, hospital, humane society, any anti-cruelty society in this State, or by the American Red Cross, providing such vehicles are not used for pleasure or hire, but all such vehicles shall be registered and shall display number plates as is provided for in this act.

Exemptions from act.

No fee charged, but must be registered.

## ORGANIZATION AND DUTIES.

3. The Secretary of State shall forthwith organize in connection with the Department of State, the Department of Motor Vehicle Registration and Regulation. He shall provide suitable quarters for the same and shall furnish all necessary supplies and equipment for the proper enforcement of the provisions of this act. He shall approve all bills for disbursements of money under any of the provisions of this act, which shall be paid by the State Treasurer, upon the warrant of the Comptroller, out of any appropriation regularly made therefor.

Department of Motor Vehicles organized.

Payments.

## COMMISSIONER OF MOTOR VEHICLES: INSPECTORS: ORGANIZATION OF FORCE: COMPENSATION: POWERS.

4. (1) The Assistant Secretary of State shall be ex-officio Commissioner of Motor Vehicles, and shall have personal charge and supervision of the enforcement of the provisions of this act, and shall execute all contracts entered into by the Department of Motor Vehicles. The Commissioner of Motor Vehicles shall appoint a chief inspector of motor vehicles, who shall have practical knowledge of the mechanical arrangement and capabilities of all kinds of motor vehicles, and be capable to pass upon the efficiency of motor vehicles and the com-

Commissioner.

Chief inspector.

petency of motor vehicle drivers. The Commissioner of Motor Vehicles shall appoint as many inspectors as may be necessary in detecting violations of this act, in obtaining evidence of violations, and otherwise assisting in the enforcement of the act. The said inspectors shall be chosen with special referencẽ to their fitness for the work, and shall be required to submit themselves to such an examination, as may be required by the Board of Civil Service Commissioners, and shall be equipped at his discretion with automobiles and other means of conveyance. The Commissioner of Motor Vehicles may detail one of the inspectors to act as deputy chief inspector. The Commissioner of Motor Vehicles shall organize the inspector force with the chief inspector at its head, and shall adopt such rules and regulations for the regulation of the inspector force as shall appear desirable, and shall exercise the power of suspension, and when necessary, of discharge of inspectors for failure to comply with the rules of the department, or for other cause. The compensation of these inspectors shall be classified and fixed by the Board of Civil Service Commissioners. The Commissioner of Motor Vehicles shall have power to appoint any number of citizens, not exceeding two hundred, who shall be interested in the proper enforcement of this act, and who shall be known as special inspectors. They shall serve without pay and shall have all the power and authority of the paid inspectors as stated in this act. The Commissioner of Motor Vehicles shall also have power to appoint, in addition to these, such employees, officers or inspectors of other departments of the State government, upon the request of such departments, as special inspectors, including county engineers when certified by the boards of chosen freeholders, such appointees to serve without any additional compensation. The Commissioner of Motor Vehicles shall also fix the compensation of clerical assistants and others employed under this act, subject to classification and standardization of the Board of Civil Service Commissioners. The compensation of the Commissioner of Motor Vehicles shall be fifteen hundred dollars per annum, in addition to any compensation he may receive by reason of any statute fixing the compen-

Assistants.

Inspecting force.

Special inspectors.

Clerical help.

Compensation of commissioner; his powers and duties.

sation of the Assistant Secretary of State; and he shall have such powers and duties as are in this act given and imposed, and shall collect such data with respect to the proper restrictions to be laid upon motor vehicles, and the use thereof upon the public roads, turnpikes, and thoroughfares, as shall seem to be for the public good, and under the direction of the Secretary of State shall report to each Legislature the operations of his office for the year ending on the next preceding thirty-first day of December. It shall be his duty to attend to the enforcement of the provisions of this act.

Annual report.

(2) The Commissioner of Motor Vehicles shall keep a record of all his official acts, and shall preserve copies of all decisions, rules, and orders made by him, and shall adopt an official seal. Copies of any act, rule, order, or decision made by him, and of any paper or papers filed in his office may be authenticated under said seal, at a cost not to exceed one dollar and fifty cents for each authentication, and when so authenticated, shall be evidence equally with and in like manner as the originals, and said commissioner shall be empowered to communicate with the police departments and peace officers in the State for the purpose of and with the object of the proper enforcement of this act.

Records kept.

Certification under seal.

(3) Motor vehicle inspectors appointed as provided for in this section shall be presented with a badge indicative of their office, and when wearing such badge on the left breast of the outermost garment shall have power to stop any motor vehicle and examine the same to see that it complies with the requirements of this act, whether in the matter of equipment, identification, or otherwise; to require the production of the license of the driver; to arrest, without warrant, for violations of this act committed in their presence, and generally to act as special officers for the enforcement of the provisions of this act and for the detection and arrest of those who violate or infringe upon the provisions hereof. All inspectors and officers appointed under this act are hereby given authority to regulate all traffic on the public streets and highways, and are hereby given explicit powers to enforce all laws regulating traffic or governing the equipment of vehicles on the public streets and highways

Badge worn by inspectors.

Examination of car and driver.

Arrests.

Traffic regulations.

of this State. Nothing in this act shall be construed to give such inspectors or officers any authority over street railways or railroads operated as street railways; *provided, however*, such authority and regulation shall not supersede, but shall be in addition to the authority and regulation exercised and authorized by local police departments in any municipality.

Proviso.

#### REGISTRATION AGENTS: FEES.

Registration agents.

Fees allowable.

5. The Commissioner of Motor Vehicles shall be authorized and full power and authority are hereby given to him, to designate any proper person to be the agent of said Commissioner of Motor Vehicles for the registering of motor vehicles and issuing registration certificates and licensing of drivers, subject to the requirements of this act and to such rules and regulations as shall be imposed by the commissioner; and any agent who may be so designated is hereby authorized and required to act according and until the said authority so to act is revoked by the said commissioner. The fee allowed such agent for registration certificate so issued by him and for every license so granted by him shall be fixed by the Commissioner of Motor Vehicles, the same to be deducted and remitted to such agent by said commissioner from the registration fee or the license fee paid to him; and the said commissioner may limit the fee so paid to a maximum.

#### SUSPENSION AND REVOCATION OF REGISTRATION AND LICENSE.

Revocation of registration and license.

Renewal.

6. Every registration certificate and every license certificate to drive motor vehicles may be suspended or revoked by the Commissioner of Motor Vehicles for a violation of any of the provisions of this act, or on other reasonable grounds, after due notice in writing of such proposed suspension or revocation and the ground thereof, and if a driver of motor vehicles shall have had his license suspended or revoked, a new license granted to him shall be void and of no effect unless it shall be granted by the Commissioner of Motor Vehicles in person; and if the registration or registration certificates

shall have been suspended or revoked, a new registration made or a new registration certificate issued shall be void and of no effect unless the new registration shall be made and the new certificate issued under the personal direction of the Commissioner of Motor Vehicles.

## EQUIPMENT.

7. (1) Brakes. Every motor vehicle of more than ten horse-power, operated in or on any highway, shall be provided with at least two brakes, powerful in action and separated from each other, of which one brake must act directly on the drive wheels or on parts of the mechanism which are firmly connected with said wheels. Each of the two brakes shall suffice alone to stop the motor vehicle within a proper distance. One of the two brakes shall be so arranged as to be operated with the feet; *provided, however*, that on automobiles not exceeding ten horse-power, one brake shall be deemed to be sufficient. Every motor cycle shall be provided with at least one brake, which may be operated by hand or foot.

(2) Signalling device. Every motor vehicle must be equipped with a horn or signalling device, and the operator of the same shall give reasonable warning of his approach whenever necessary to insure the safety of other users of the highway, and before passing any vehicle he may overtake, or pedestrian using any part of the highway other than the sidewalk, also at curves and intersecting highways where the view of approaching vehicles is obscured; but the horn, bell, or other signalling devices shall not be sounded unnecessarily.

(3) Lighting devices. Every automobile shall carry, during the period from thirty minutes after sunset to thirty minutes before sunrise, and whenever fog renders it impossible to see a long distance at least two lighted lamps showing white or yellow-tinted lights, visible at least two hundred and fifty feet in the direction toward which said automobile is proceeding; and shall also exhibit a red light visible from the rear; the rays of such rear lamp shall shine upon the number plate carried on the rear of such vehicle in such a manner as to render the numerals thereof visible for at least fifty

Brakes.

Proviso.

Horn or other signalling device.

Lamps.

White light in front.

Red light in rear.

feet in the direction from which the motor vehicle is proceeding. No automobile shall be used upon the public highway of this State which is equipped with a lamp, of more than twenty-four candle-power (unless a greater candle-power shall be permitted under certificate issued by the commissioner), which, when lighted, is capable of projecting direct rays at a greater height than a parallel of three and one-half feet from the ground; *provided, however,* that any lamp which has attached thereto any device which cannot be operated from the driver's seat, and which when so attached, renders said lamp incapable, when lighted, of projecting direct rays at a greater height than a parallel of three and one-half feet from the road, shall be deemed to comply with this provision; *provided further, however,* that any automobile may be equipped with a lamp capable of projecting direct rays at a greater height than a parallel of three and one-half feet from the ground, if such lamp, when lighted, is not capable of producing a dazzling light or glare; *and provided, further,* that the use of "spotlights" for driving purposes is prohibited, and that the use of such "spotlights" is hereby confined to reading of intersecting highway signs and house numbers. In order that this section may be operative without hardship to the owners and operators of motor vehicles, the Commissioner of Motor Vehicles is hereby especially authorized to pass upon any lighting device and upon the equipment of any car, and shall for this purpose examine all lighting devices submitted to him; and if, in his judgment, such lighting devices, when properly applied to a motor vehicle licensed under the authority of this act, shall conform to the provisions of this act, he shall issue a certificate to the manufacturer, owner, or user of such device, as the case may be, that the same is in compliance with this section. Every automobile shall show at least one white or yellow-tinted light when standing, such white or yellow-tinted light to be on the side of the automobile nearest to the center of the road, and shall display at least one red light to the rear when standing.

Every motor cycle shall carry during the period from thirty minutes after sunset to thirty minutes before sun-

Candle power.

Proviso.

Proviso.

Proviso: spot-light.

Approved lighting devices.

Lights when standing.

When lights displayed.

rise, and whenever fog renders it impossible to see a long distance, at least one lighted lamp, showing a white or yellow light visible at least two hundred feet in the direction toward which the motor cycle is proceeding; and shall carry upon the rear of such motor cycle a red light, the rays of which shall shine upon the number plate which shall be fixed to the rear mud-guard. Any motor cycle having more than two wheels or with side car attachment shall have two white lights to the front, as provided in this section.

(4) Mufflers. 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 State of New Jersey.

Mufflers.

No muffler cut-outs.

(5) Mirrors. Any motor vehicle that is so constructed or covered as to prevent the operator thereof from having a sufficient view of the traffic following and at the sides of such vehicle shall be equipped with a mirror or some device that will show the driver the road to the rear and the road to the side.

Mirrors.

(6) Chains. Motor vehicle tires may be fitted with chains when roads, streets, and highways are slippery because of rain, snow, ice, oil, or manner of construction; *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.

Chains.

Proviso.

POWER TO LICENSE DRIVERS: EXAMINATION OF APPLICANTS: REFUSAL TO LICENSE.

Power to license motor drivers.

8. The Commissioner of Motor Vehicles shall be authorized, and full power and authority are hereby given to him to license at his discretion, and upon payment of the lawful fee, any proper person of the age of seventeen years or over to be a motor vehicle driver, said commissioner or his inspectors having first examined said person, and being satisfied of his or her

Examinations. ability as an operator, which examination shall include a test of the knowledge on the part of said person of such portions of the mechanism of motor vehicles as is necessary, in order to insure the safe operation of a vehicle of the kind or kinds indicated by the applicant, and of the laws and ordinary usages of the road, and the said applicant having demonstrated his or her ability to operate a vehicle of the class designated; and the said Commissioner of Motor Vehicles may, in his discretion, refuse to grant a license to drive motor vehicles to any person who shall, in the estimation of said commissioner, be an improper person to be granted such a license.

May refuse license.

MOTOR VEHICLES MUST BE REGISTERED.

Motor vehicles must be registered. 9. (1) Every resident of this State, and every non-resident whose automobile or motor cycle 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 or motor cycle 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; and the Commissioner of Motor Vehicles shall issue licenses for the following year on and after December first of each year, such licenses so issued not to be used until the thirty-first day of December of the year preceding the year for which such license is issued.

Expiration of certificate.

Application in form of statement. (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 description of the character of such motor vehicle or motor cycle, including the name of the maker and the manufacturer's number and the motor number. Such statement shall be submitted on forms prepared by the Commissioner of Motor Vehicles and shall be sworn to by the applicant before any one authorized to take acknowledgments. Thereupon, the said commissioner shall have power to grant a registration certificate, to the owner of any motor vehicle, application for registration having properly been made and the fee

therefor paid, and the vehicle being of a type that complies with the requirements of this act. But it shall be lawful for the Commissioner of Motor Vehicles to refuse registrations to any vehicle that in his estimation is not a proper vehicle to be used upon public roads and highways of this State.

(3) The holder of any registration certificate issued by the Commissioner of Motor Vehicles, when requested to do so by any motor vehicle inspector, police officer, or magistrate, shall exhibit said certificate, to the end that the said motor vehicle inspector, police officer, or magistrate, may thereby determine the correctness of the said certificate as the same relates to the registration number plates of the automobile or the motor cycle for which the said certificate was issued.

Certificate shown on request.

(4) Each owner having a residence outside of the State shall file with the Secretary of State a duly executed instrument, constituting the Secretary of State and his successors in office the true and lawful attorney upon whom all original process in any action or legal proceeding caused by the operation of his registered motor vehicle or motor cycle, within this State, against such owner may be served, and therein shall agree that any original process against such owner shall be of the same force and effect as if served on such owner within this State; the service of such process shall be made by leaving a copy of the same in the office of the Secretary of State, with a service fee of two dollars to be taxed on the plaintiff's costs of suit. Said Commissioner of Motor Vehicles shall forthwith notify such owner of such service by letter directed to him at the post-office address stated in his application.

Power of attorney given by non-resident.

Service of process.

#### DRIVERS' LICENSES: EXAMINATIONS: PERMITS.

10. (1) No person shall hereafter drive an automobile or motor cycle upon any public highway in this State unless licensed to do so in accordance with the provisions of this act. No person under the age of seventeen years shall be licensed to drive automobiles or motor cycles, nor shall any person be licensed to drive automobiles or motor cycles until said person shall have passed a satisfactory examination as to his ability as an

Drivers must be licensed.

Age.

- Examination. operator, which examination shall include a test of the knowledge on the part of said person of such portions of the mechanism of automobiles or motor cycles as is necessary in order to insure the safe operation of a vehicle of the kind or kinds indicated by the applicant. Drivers' license certificates shall expire on the thirty-first of December of each year. Said licensee shall be entitled to drive any registered automobile or motor cycle. The annual license fee to be charged shall be three dollars for drivers of motor vehicles; and one dollar for operators of motor cycles.
- License fee.
- Driver's permit. (2) It shall be lawful for the Commissioner of Motor Vehicles, at his discretion, to issue to any person over seventeen years of age a written permit, under the hand and seal of said commissioner, allowing the said person, for the purpose of fitting himself to become a motor vehicle driver, or a motor cycle operator, to operate a motor vehicle or motor cycle for a specified period of not more than three weeks, while in the company and under the supervision of a licensed motor vehicle driver; and such permit, under the hand and seal of the Commissioner of Motor Vehicles, shall be sufficient license for the said person to operate a motor vehicle or motor cycle in the State during the period specified, while in the company of and under the control of a licensed motor vehicle driver of this State; *and provided, further*, that the said person, as well as such licensed motor vehicle driver, shall be held accountable for all violations of this act committed by the said person while in the presence of such licensed motor vehicle driver. No such written permit shall be issued unless the person applying therefor shall pay the sum of fifty cents to any agent of the Motor Vehicle Department, such sum to be turned over by the said agent to the Commissioner of Motor Vehicles, and by him remitted with the other funds collected in his department to the State Treasurer, in accordance with the provisions of this act; and no examination for a driver's license shall be given unless the applicant therefor has first secured a learner's permit.
- Proviso.
- Fee. (3) Each license to drive an automobile shall have endorsed thereon in the proper handwriting of the said
- License signed and to be shown.

licensee the name of said licensee. And the said license must be in the possession of the driver or operator at all times when the said driver or operator is in charge of a motor vehicle or motor cycle on the highways of this State. And said licensee when thereupon requested by any motor vehicle inspector, police officer, or magistrate, while in the performance of the duties of his office under this act, shall exhibit said license to said officer, and write his name in the presence of said officer, to the end that he may thereby determine the identity of said licensee.

(4) Any motor vehicle or motor cycle belonging to any person who is a nonresident of this State, and who has registered such motor vehicle or motor cycle in and has complied with all of the laws of the State, Territory, Federal District of the United States, or of any Province of the Dominion of Canada, 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 this act as the same applies to the registration of motor vehicles and the licensing of the operators thereof; *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 fifteen days; *and provided, further*, that the provisions of this section shall be operative as to any such motor vehicle owned by nonresident of this State only to the extent that under the laws of the State, Territory, Federal District or Province of his residence, substantially similar exemptions and privileges are granted to motor vehicles and motor cycles duly registered under the laws of this State; *and provided, further*, that the Commissioner of Motor Vehicles shall have power to suspend, for cause, the fifteen day touring privilege in so far as it may apply to any licensed motor vehicle licensed by any State, Federal District, Territory or of the Province of the Dominion of Can-

Operation of motor vehicles by non-residents for fifteen days.

Proviso.

Proviso.

Proviso.

ada to which such privilege is granted under the provisions of this act. The Commissioner of Motor Vehicles, in suspending such privilege, shall give seven days' notice of such action, citing in such notice the number of the motor vehicle or motor cycle in reference to which such privilege is suspended, and shall forward such notice to the department which issued the license against which such privilege is suspended. The Commissioner of Motor Vehicles, when suspending such privilege, shall give public notice of the same, and cause all police departments or other police authorities to be notified of such action. If such motor vehicle against which such privilege has been suspended shall be driven thereafter in the State of New Jersey, during the period in which its license is in force, the driver and owner thereof shall be subject to a fine not exceeding two hundred dollars.

(5) The fifteen day touring privilege as hereinbefore provided is also extended to the chauffeurs or drivers of all non-resident motor vehicles operating in this State under such touring privilege, provided that the said chauffeur or driver has complied with the law of his resident State with respect to the licensing of drivers or chauffeurs, but no such nonresident chauffeur or driver shall operate in this State, any motor vehicle or motor cycle which is registered in this State.

Suspension  
of privilege.

Penalty for  
violation.

Touring  
privilege.

#### FEES.

Manufac-  
turer's regis-  
tration.

II. (1) Every manufacturer of automobiles residing and having his principal place of business within this State, instead of registering each automobile owned or controlled by him, may make application, as hereinbefore provided in this act for a registration number, and the written statement, in addition to the matters hereinbefore contained, shall state that he is a manufacturer; that he desires to use a single number on automobiles owned or controlled by him while being used for demonstration purposes or for shop purposes. The Commissioner of Motor Vehicles may thereupon, if satisfied of the facts stated in the application, issue a certificate as herein set forth assigning the same a number, which certificate shall contain a statement that the same is

issued to the applicant as a manufacturer. One certificate shall cover and be valid for the use of not more than five automobiles of said manufacturer at one time while under his control. The Commissioner of Motor Vehicles shall provide five sets of identification marks of the general style and kind provided for motor vehicle registrations in this act, and such identification marks shall not be used on any vehicle not actually owned by said manufacturer or operated either by him or his duly authorized agent.

Valid for five cars.

Sets of markers.

All such automobiles shall be regarded as registered under such general number, and in addition to the registration number displayed on the front and rear of the car, as hereafter provided, there shall be added the letter "M" of equal size and prominence. The annual fee for such manufacturer's registration shall be five dollars for each car so authorized to be operated under each registration number, and the Commissioner of Motor Vehicles shall issue registration certificates in duplicate equal to the number of cars not exceeding five authorized to be operated under the said registration number.

Markers.

Fee.

(2) Every dealer in automobiles or motor cycles doing business in this State, instead of registering each automobile or motor cycle owned or controlled by him, may make application as hereinbefore provided in this act, for a registration number, and the written statement, in addition to the matters hereinbefore contained, shall state that he is a dealer; that he desires to use a single number on automobiles or motor cycles owned or controlled by him while being operated for purposes of his business or for his personal use, but not for hire. The Commissioner of Motor Vehicles may thereupon, if satisfied of the facts stated in said application, issue certificate as herein set forth, assigning the same a number, which certificate shall contain a statement that the same was issued to the applicant as a dealer. One certificate shall cover and be valid for the use of not more than five automobiles or motor cycles of said dealer at one time while under his control. The Commissioner of Motor Vehicles shall provide five sets of identification marks of the general style provided for motor vehicle registration in this act, and such identification marks

Dealer's registration.

Sets of markers.

shall not be used on any vehicle not actually owned by said dealer or operated either by him or his duly authorized agent. All such automobiles or motor cycles shall be regarded as registered under such general number, and in addition to the registration number displayed on the front and rear of the car or motor cycle as hereafter provided, there shall be added the letter "D" of equal size and prominence. The annual fee for such dealer's registration shall be five dollars for each car or motor cycle so authorized to be operated under such registration number, and the Commissioner of Motor Vehicles shall issue registration certificates in duplicate equal to the number of cars or motor cycles not less than five sets for automobile dealers nor less than three sets for motor cycle dealers authorized to be operated under said registration number.

Use limited. No person or persons shall use or permit the use of the plates issued under a dealer's registration on any motor vehicle other than those owned by such dealer and operated by such dealer or his employees or for any purpose other than the personal use of the dealer, or demonstrating said vehicle to a prospective purchaser or testing or removing same from storage place, shipping point or place of delivery before or after sale.

"In Transit" plates. Dealer's plates marked "In Transit" and corresponding in number to the numerals displayed on the dealer's registration may be issued by the Commissioner of Motor Vehicles on application from any dealer. Such plates shall be used solely in the transportation of motor vehicles from the factory to the place of business of the dealer within this State and for no other purpose whatsoever. The cost of such dealer's plates shall be two dollars for each set.

Fee. (3) For each vehicle used as an omnibus for the transportation of passenger for hire, the applicant shall pay an annual fee of fifteen dollars for vehicles having a seating capacity for five passengers or less, for each such vehicle having a seating capacity for passengers of not less than six nor more than eight passengers, the annual fee shall be seventeen dollars and fifty cents; for each such vehicle having a seating capacity for passengers of not less than nine or more

Registration fees for omnibuses.

than twelve passengers, the annual fee shall be twenty dollars; for each vehicle having a seating capacity for passengers of not less than thirteen nor more than seventeen passengers, the annual fee shall be twenty-five dollars; for each such vehicle having a seating capacity for passengers of not less than eighteen nor more than twenty-two passengers, the annual fee shall be thirty dollars; for each such vehicle having a seating capacity for passengers of not less than twenty-three nor more than twenty-six passengers, the fee shall be thirty-five dollars; for each such vehicle having a seating capacity for passengers of not less than twenty-seven nor more than thirty passengers, the fee shall be forty dollars; for each such vehicle having a seating capacity for passengers in excess of thirty passengers, the applicant shall pay an annual fee of forty dollars, and an additional fee of two dollars for each passenger (measured by seating capacity) in excess of thirty passengers.

The Commissioner of Motor Vehicles shall provide identification marks of the general style and kind provided for motor vehicle registrations, assigning a number to each identification mark, and before each number the letter "O" shall be placed.

Markers.

Every such applicant for an omnibus registration shall make application, setting forth the fact that he is in business of transporting passengers for hire, and the Commissioner of Motor Vehicle, if satisfied of the correctness of the statements made in such application, may issue a registration certificate for omnibus license.

Application.

Nothing in this section shall prohibit the use by an omnibus operator of any automobile duly licensed by him as owner.

(4) Commercial motor vehicles, trailers, semi-trailers, tractors. The applicant for registration for automobile commercial vehicles, trailers, semi-trailers, and tractors shall pay to the Commissioner of Motor Vehicles a fee based upon the gross weight of such vehicle and load, when loaded to its carrying capacity. When the gross weight of the vehicle and load exceeds the gross weight allowed by law for the par-

Registration  
of commercial  
vehicles, etc.

Markers.

ticular size of tires set forth in the application for registration, then such gross weight of vehicle and load shall be determined according to law upon the sizes of tires given in said application. The plates to be used for the commercial motor vehicles shall display the word "commercial," and the numerals shall be prefixed by the letter "X"; the trailer plates shall have the letter "T."

Table of fees.

The fee shall be in accordance with the following table:

If the gross weight of vehicle and carrying capacity is

1000 pounds or less .....	\$10.00
1001 to 2000 pounds .....	12.00
2001 to 3000 pounds .....	15.00
3001 to 4000 pounds .....	20.00
4001 to 5000 pounds .....	24.00
5001 to 6000 pounds .....	27.00
6001 to 7000 pounds .....	30.00
7001 to 8000 pounds .....	33.00
8001 to 9000 pounds .....	36.00
9001 to 10,000 pounds .....	39.00
10,000 to 11,000 pounds .....	42.00
11,000 to 12,000 pounds .....	45.00
12,001 to 13,000 pounds .....	48.00
13,001 to 14,000 pounds .....	51.00
14,001 to 15,000 pounds .....	54.00
15,001 to 16,000 pounds .....	57.00
16,001 to 17,000 pounds .....	60.00
17,001 to 18,000 pounds .....	63.00
18,001 to 19,000 pounds .....	66.00
19,001 to 20,000 pounds .....	69.00
20,001 to 21,000 pounds .....	72.00
21,001 to 22,000 pounds .....	75.00
22,001 to 23,000 pounds .....	78.00
23,001 to 24,000 pounds .....	81.00
24,001 to 25,000 pounds .....	84.00
25,001 to 26,000 pounds .....	87.00
26,001 to 27,000 pounds .....	90.00
27,001 to 28,000 pounds .....	93.00
28,001 to 29,000 pounds .....	96.00
29,001 to 30,000 pounds .....	99.00

*Provided*, that no automobile commercial vehicle, trailer, semi-trailer, or tractor shall be registered by the Commissioner of Motor Vehicles unless the same are equipped on all wheels with rubber tires; *and provided, further*, that any person who shall overload any commercial motor vehicle, tractor, trailer, or semi-trailer beyond the gross weight shown in the registration certificate for said vehicle, shall be fined not less than one hundred dollars nor more than two hundred and fifty dollars for the first offense, and for any subsequent offense, not less than two hundred and fifty dollars nor more than five hundred dollars.

Proviso.

Proviso.  
Overloading.

Penalty.

(5) Passenger vehicles. The applicant for registration for motor vehicles shall pay to the Commissioner of Motor Vehicles for each registration a fee of forty cents per horse-power for the rated horse-power of such motor vehicle or the major fraction thereof for the rated horse-power of such motor vehicle up to and including vehicles of a twenty-nine horse-power rating; and all passenger motor vehicles having a rating of thirty horse-power or more shall pay a fee of fifty cents per horse-power or the major fraction thereof.

Rate per  
horse power.

(6) Motor cycles. The applicant for registration for a motor cycle shall pay to the Commissioner of Motor Vehicles for each registration a fee of two dollars.

Fee for  
motor cycles.

(7) Reduction in fee after August first. If application shall be made for the registration of a motor vehicle, commercial motor vehicle, trailer, semi-trailer, tractor or omnibus, after the first day of August in any year, the applicant shall be required to pay but one-half the registration fee herein provided for in the class to which such vehicle belongs.

Half rate.

(8) Refusal of registration. The Commissioner of Motor Vehicles may refuse registration in the case of any automobile, commercial motor vehicle, trailer, semi-trailer, tractor, or omnibus, 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.

Refuse regis-  
tration.

(9) Certificate issued. The Commissioner of Motor Vehicles shall issue for each automobile so registered a certificate, properly numbered, stating that such motor

Registration  
certificate.

vehicle or motor cycle is registered in accordance with the 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. And the holder of said certificate, when requested by any motor vehicle inspector, police officer, or magistrate, while in the performance of the duties of his office, shall exhibit said certificate, to the end that the said motor vehicle inspector, police officer, or magistrate may thereby determine the correctness of said certificate as the same relates to the registration number plates of the motor vehicle for which the said certificate was issued.

Exhibited on request.

Duplicate certificates.

(10) Duplicate certificates. The Commissioner of Motor Vehicles, upon presentation of a statement duly sworn to, setting forth that the original registration certificate or driver's license has been destroyed, lost or stolen, may, if he is satisfied that the facts as set forth in the statement are substantially true, issue a duplicate registration certificate or driver's license to the original holder thereof, upon the payment to the Commissioner of Motor Vehicles of a fee of one dollar for each duplicate registration certificate or driver's license so issued.

Fee.

## TRANSFER OF REGISTRATION.

Transfer voids registration. Department notified.

12. (1) Upon the transfer of ownership or the destruction of any motor vehicle, its registration shall expire; and in the event of the sale of the motor vehicle the original owner shall remove the registration plates therefrom, and shall within forty-eight hours, notify the Commissioner of Motor Vehicles of the name and address of the purchaser.

Reregistration.

Fee.

The original owner may, however, by proper sworn application upon a blank to be furnished by the Motor Vehicle Department, register another motor vehicle upon payment of a fee of one dollar when such motor vehicle is of equal or less horse-power or classification than that originally registered, or upon the payment of a fee of one dollar and the difference between the fee originally paid and that due if the new motor vehicle be properly registerable in a higher class; and unless the

original registration plates have been destroyed, such owner shall be assigned the registration number previously issued to him and shall receive a new registration certificate. If the original registration plates have been destroyed, then the owner thereof in making application for the transfer of the original registration shall pay in addition to the transfer fee of one dollar an additional fee of two dollars for new plates.

Fee for  
new plates.

(2) Lost or defaced license plates. In the event of the loss of one or both registration plates or said plate or plates being so defaced that the numbers thereon are illegible, it shall be the duty of the owner of the motor vehicle for which the same were issued to apply to the Commissioner of Motor Vehicles or his representative for new plates within twenty-four hours of the discovery of the loss or defacement of such plate or plates. Such application shall be made upon blank furnished by the department, on which shall be set forth the loss, defacement, or destruction of such plate or plates, and shall be accompanied by a fee of one dollar for each plate so lost or defaced, if the same applies to a motor vehicle, and a fee of fifty cents for each plate so lost or defaced if the same be for a motor cycle. Thereupon the Department of Motor Vehicles shall cancel the original registration and shall issue to the applicant new plates of another number than that of the plates originally issued, and shall also issue a new registration certificate.

Replacing  
lost plates.

Application.

Fee.

#### DISPLAY OF MARKERS: FICTITIOUS NUMBERS.

13. (1) The owner of each and every automobile which shall be driven upon the public highways of this State shall display on the front and rear of such vehicle, not less than fifteen inches or more than thirty-six inches from the ground in a horizontal position, and in such a way as not to swing, an identification mark, to be furnished by the Motor Vehicle Department. Said identification mark shall contain the number of the registration certificate of said vehicle in characters not less than four inches in height, with a stroke of not less than one-half an inch, and shall be of such design as

Markers  
displayed.

Size of  
numerals.

shall be prescribed by the Commissioner of Motor Vehicles.

Markers clean and legible.

The identification marks of vehicles shall be of metal, sufficiently enduring to be plainly legible under all atmospheric conditions for at least one year. Motor cycles shall also display two identification marks, one on the front and one on the rear of each motor cycle. All identification marks shall be kept clear and distinct and free from grease, dust, or other blurring matter, so as to be plainly visible at all times during daylight and night.

Illuminated markers.

The Commissioner of Motor Vehicles may, in his discretion, adopt any form of illuminated marker for use on the rear of motor vehicles which in his judgment will make the identification mark of such motor vehicle more easily legible at night; *provided*, such device shall not be excessive in its cost or so cumbersome as to be impractical in its application to motor vehicles.

Proviso.

Illegal driving.

(2) No person shall drive a motor vehicle, the owner of which vehicle shall not have complied with the provisions of this act concerning the proper registration and identification of the same; nor shall any person drive a motor vehicle which shall display on the front or back thereof a fictitious number, or a number other than that designated for such motor vehicle in the New Jersey registration certificate of such motor vehicle.

False number.

#### CERTAIN ACTS FORBIDDEN.

Owner's consent to operate car.

14. (1) No person shall operate or use any motor vehicle without the permission of the owner. Any person who shall violate this provision shall be fined not more than one thousand dollars or imprisoned not more than one year or both for a first violation; for a second violation imprisoned not more than ten years; and for each subsequent violation imprisoned not more than fifteen years.

Penalty.

Tampering.

(2) No person shall interfere or tamper with a motor vehicle or put in motion the engine of such vehicle while it is standing, without the permission of the owner. Any person who shall violate this provision shall be fined not less than ten nor more than fifty dollars for a first offense, and, for each subsequent offense,

Penalty.

shall be fined not less than fifty nor more than one hundred dollars or imprisonment of not more than thirty days or both.

(3) No person shall operate a motor vehicle while under the influence of intoxicating liquor or any narcotic or habit producing drugs, or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drugs to operate any motor vehicle owned by him or in his custody or control. Any person who shall violate this provision shall, upon conviction thereof, be punished by an imprisonment of not less than thirty days and not more than six months; and shall forthwith forfeit his right to operate a motor vehicle over the highways of this State; and no new license shall be issued by the Commissioner of Motor Vehicles to any person convicted of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit producing drugs until one year after the date of his or her conviction, if for a first offense, or five years after any subsequent conviction.

Operating under influence of liquor.

Penalty.

(4) Every person operating a motor vehicle who shall knowingly cause injury to any other person or to property in the possession or use of such person shall at once stop and ascertain the extent of the injury and render such assistance as may be needed, and, upon request, give his name, address, and operator's license and registration number to the person injured or to any officer or witness of the injury. Any person who shall violate this provision shall be fined not less than twenty-five nor more than one hundred dollars for the first offense, and for any subsequent offense, not less than one hundred nor more than two hundred dollars.

Action in case of accident.

Penalty.

(5) No person shall operate a motor vehicle upon any public highway for a wager or in a race or for the purpose of making a speed record. Any person who shall violate this provision shall be fined not less than twenty-five nor more than one hundred dollars for the first offense, and, for any subsequent offense, not less than one hundred nor more than two hundred dollars.

No racing on roads.

Penalty.

(6) No person shall operate any commercial motor vehicle on any public highway or bridge when the com-

Maximum load.

- bined weight of vehicle and load exceeds thirty thousand pounds, without a written permit from the State Highway Commission which shall prescribe the conditions under which the same shall be operated. Any person who shall violate this provision shall be fined not less than one hundred nor more than five hundred dollars.
- Penalty.
- Leaving car with engine running. (7) Any person who shall leave any motor vehicle, with its engine running, stationery on the highway and unoccupied by a person able to control the same, and without setting the hand brake in such manner as to prevent such vehicle from moving, shall be fined not less than ten nor more than twenty-five dollars for each offense.
- Penalty.
- Not drive during suspension. (8) No person to whom an operator's license has been refused, or whose operator's license has been suspended or revoked, shall personally operate any motor vehicle during the period of such refusal, suspension, or revocation. Any person who shall violate this provision shall be fined not less than fifty nor more than one hundred dollars.
- Penalty.
- Counterfeit marker. (9) No person shall counterfeit any number plate or marker, nor make any substitute or temporary marker. Any person who shall violate this provision shall be fined not less than fifty nor more than one hundred dollars.
- Penalty.
- Using other marker. (10) No person shall use any marker other than the one issued to him by the Commissioner of Motor Vehicles, except as provided in subdivision four of section ten. Any person who shall violate this provision shall be fined not less than twenty-five nor more than fifty dollars.
- Penalty.
- Using other's license. (11) No person shall loan any operator's license issued by the commissioner, for use by any person other than the person named in said license, nor shall loan any marker or certificate of registration, issued by the Commissioner, for use on any other car other than that of the owner. Any person who shall violate this provision shall be fined not less than twenty-five nor more than fifty dollars.
- Penalty.
- Not allow unlicensed driver to act. (12) No person owning a motor vehicle registered as provided for in this act, shall allow such vehicle to be

operated by a non-licensed driver. Any person who shall violate this provision shall be fined not less than fifty nor more than one hundred dollars. Penalty.

(13) Any person, except when acting under the authority of the governing body of any municipality, who shall throw, place, or deposit any glass or other sharp or cutting substance or any other injurious or cutting substance in or upon any of the public highways of this State shall be fined not more than one hundred dollars or imprisoned not more than one year, or both, for the first violation; for the second violation, imprisoned not more than ten years; and for each subsequent violation, imprisoned not more than fifteen years. Placing injurious substance on road.  
Penalty.

(14) Any person or persons making any misstatement of facts in his or their applications for registration of a motor vehicle or driver's license, or give a fictitious address, shall be deemed guilty of a misdemeanor, and upon conviction, thereof, shall be subject to a fine of not less than two hundred (\$200) or more than five hundred (\$500), or imprisonment for one year, or both, at the discretion of the court; and the Commissioner of Motor Vehicles shall, upon proper evidence of such misstatement, or fictitious address, revoke the registration of the motor vehicle, or the drivers' license, as the case may be. It shall be the duty of the registered owner of every motor vehicle and of every licensed operator to notify the Commissioner of Motor Vehicles of any change in his or her place of residence, within one week after such change is made. Falsifying.  
Penalty.  
Change of address given.

LAW OF ROAD: POWER OF LOCAL AUTHORITIES: SPEEDWAYS: PARKS: ORDINANCES.

15. (1) Drivers of motor vehicles, whether of burden or pleasure, using any of the turnpikes or public roads in this State, when met by another motor vehicle, or by a carriage, sleigh, or sled, shall keep to the right, and when overtaken by another motor vehicle, carriage, sleigh or sled, they shall likewise keep to the right, so as and when overtaken by another motor vehicle, carriage, sleigh or sled, either met or overtaken to pass uninterrupted. Keep to the right.

Compliance  
with law  
sufficient.

(2) No owner or purchaser or driver of a motor vehicle who shall have complied with the requirements and provisions of this act shall be required to obtain any other license or permit to use or operate the same, nor shall such owner or purchaser or driver be excluded or prohibited from or limited in the free use thereof, nor limited as to speed upon any public street, avenue, road, turnpike, driveway, parkway or other public place, at any time, when the same is or may hereafter be opened to the use of persons having or using other carriages nor be required to comply with other provisions or conditions as to the use of said motor vehicle, except as in this act provided; *provided, however*, that nothing in this section contained shall be construed to apply to or include any speedway created and maintained in pursuance of an act of the Legislature of the State of New Jersey, entitled "An act to provide for the construction and maintenance of speedways in the counties of this State," approved March nineteenth, one thousand nine hundred and two, nor to any parks or parkways created and maintained in accordance with an act of the Legislature of the State of New Jersey entitled "An act to establish public parks in the counties of this State and to provide for the acquirement, improvement, and regulation of the same," approved March twentieth, one thousand nine hundred and one. No city, town, township, borough, or other municipality shall have power to make any ordinance, by-law, or resolution limiting or restricting the use or speed of motor vehicles, and no ordinance, by-law, or resolution heretofore or hereafter made by any city, town, township, borough or other municipal or local authority by whatever name known or designated in respect to or limiting the use or speed of motor vehicles shall have any force, effect, or validity.

Proviso.

State law  
paramount.

GENERAL SPEED RATES: DAMAGES: EXEMPTION: SIGNALS.

Rates of  
speed.

16. The following rates of speed may be maintained, but shall not be exceeded, upon any public street, public road or turnpike, public park or parkway, or public driveway, or public highway, in this State by any one driving a motor vehicle:

(1) A speed of one mile in seven minutes upon the sharp curves of a street or highway or when turning a corner, and a speed of one mile in four minutes at the junction or intersection of a prominent cross-road where such a street, road, or highway passes through the open country; the term "open country" meaning where houses are an average of more than one hundred feet apart.

On curves  
and crossings.

Open country.

A speed of one mile in five minutes where such street or highway passes through the built-up portion of a city, town, township, borough or village where the houses are an average less than one hundred feet apart.

In built-up  
communities.

A speed of one mile in four minutes within two hundred feet of any horse or any beast of draught or burden upon the same street, highway; *provided, however,* that such speed does not exceed thirty miles per hour, shall be lawful in the open country as may be necessary in order to pass a vehicle traveling in the same direction, but the speed shall be diminished forthwith, if necessary, to comply with the provisions of this act.

Near horses.

Proviso.

Elsewhere, and except as otherwise provided in subdivisions 1, 2, and 3 of this section, a speed of thirty miles per hour; *provided, however,* that nothing in this act contained shall permit any person to drive a motor vehicle recklessly, or at any speed greater than is reasonable, having regard to the traffic and use of the highways or so as to endanger the life or limb or to injure the property of any person; and it is *further provided,* that nothing in this section contained shall affect the right of any person injured either in his person or property, by the negligent operation of a motor vehicle, to sue and recover damages as heretofore; *and provided, further,* that the foregoing provisions concerning the speed of motor vehicles shall not apply to any speedway built or intended for the exclusive use of motor vehicles if the said speedway at no point crosses any public street, avenue, road, turnpike, driveway or other public thoroughfare, or any railroad or railway at grade, the said speedway having been constructed with the permission of the commissioners of the board of freeholders, as the case may be, of the county or counties in which said speedway shall be located; *and provided,*

Maximum  
speed.

Proviso.

Proviso.

Proviso.

Proviso.

*further*, that every person driving a motor vehicle shall, at the request or upon signal by putting up the hand, or otherwise, from the person riding or driving a horse or horses in the opposite direction, cause the motor vehicle to stop and remain stationery so long as may be necessary to allow said horse or horses to pass.

Detention of  
physicians.

(2) If a physician shall have his motor vehicle stopped for exceeding the speed limit while he is in the act of responding to an emergency call, the registration number of the vehicle and the driver's license number may be inspected and noted, and the physician shall then be allowed to proceed in the vehicle to his destination, and subsequently such proceedings may be taken as would have been proper had the person violating the provisions as to speed not been a physician.

Military and  
police vehicles  
exempt.

(3) Motor vehicles belonging to the military establishment, while in use for official purposes, in time of riot, insurrection or invasion, motor vehicle inspectors appointed under this act, and all police officers are exempt from the provisions of this act pertaining to speed while said inspectors and police officers are engaged in the apprehension of violators of the provisions of this act.

#### PENALTY FOR FAILURE TO RETURN FINES.

Penalty for  
not return-  
ing fines  
collected.

17. Any person who, having collected any fine for any violation of this act, shall fail within thirty days to return said fine, as provided by this act, to the Commissioner of Motor Vehicles, shall be subject to a penalty of not exceeding five hundred dollars for the first offense and a penalty of one thousand dollars and imprisonment not exceeding one year or both, at the discretion of the court, upon any subsequent conviction.

#### HORSE-POWER RATING.

Determination  
of horse-  
power.

18. For registration purposes the horse-power of an automobile shall be computed by the formula adopted by the Commissioner of Motor Vehicles on December first of each year, which rating shall govern in determining the class to which such automobile belongs. The Commissioner of Motor Vehicles on December first of each year may compel all dealers, manufacturers, or

other persons holding automobiles to provide with each sale a certificate which will indicate the various elements which are comprised in the formula adopted by the said commissioner under the provisions of this act; *provided*,<sup>Proviso.</sup> the Commissioner of Motor Vehicles shall adopt no formula which is not in general use by the standard trade associations of the United States as a basis of catalogue rating.

## RECORDS INDEXED: COPY IN EVIDENCE.

19. (1) It shall be the duty of the Commissioner of Motor Vehicles to cause all applications for registration and drivers' licenses to be alphabetically indexed, and any such original application or any copy thereof certified to be a true copy under the hand of the said Commissioner of Motor Vehicles shall be received as evidence in any court of this State to prove the facts contained therein. For each certified copy so issued the Commissioner of Motor Vehicles shall collect a fee of one dollar and fifty cents.<sup>Index of licenses and registrations.</sup>  
<sup>Certification of records.</sup>

(2) The Commissioner of Motor Vehicles is hereby authorized to destroy applications for registration certificates or drivers' licenses that shall be on file in his office for more than three years.<sup>Old records destroyed.</sup>

## DRIVERS TO REPORT CERTAIN ACCIDENTS.

20. (1) Every operator of a motor vehicle which for any reason is involved in an accident on any highway in this State in which any person is injured, other than said operator or owner, or any property belonging to any one other than the said operator or owner is damaged to the extent of twenty-five dollars or more, shall forthwith report same in writing to the Commissioner of Motor Vehicles.<sup>Accidents reported.</sup>  
<sup>Penalty.</sup>

(2) For any violation of this provision the said commissioner may revoke or suspend the license of the operator.<sup>Suspension.</sup>

REGULATIONS GOVERNING OPERATION OF COMMERCIAL MOTOR VEHICLES, TRAILERS, SEMI-TRAILERS AND TRACTORS.

Towing.

21. (1) No commercial motor vehicle or tractor shall be used on the public highways while drawing more than one motor-drawn vehicle, either trailer or semi-trailer, provided, however, any municipality while operating municipally owned vehicle or vehicles under contract over any highway maintained wholly by such municipality may use more than one motor-drawn vehicle, but not exceeding three motor-drawn vehicles in the aggregate while such municipality is engaged in the collection of garbage, ashes, or street repairs.

Proviso.

Trailers properly attached to motor.

(2) Trailers having more than two wheels, when operated upon the highways of this State, shall be connected to the motor-propelled vehicle by at least one chain, in addition to the hitch bar, of sufficient strength to hold the trailer on a hill if the hitching bar becomes disconnected, or shall be provided with some other adequate device to prevent its rolling backward.

Pneumatic tires on commercial vehicles.

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

Statement on chassis.

- Maker's name . . . . .
- Number . . . Motor number . . . . .
- Weight of vehicle . . . . . Pounds
- Allowable load . . . . . Pounds
- Gross weight . . . . . Pounds
- Maximum speed . . . . . Miles per hour

Length, width, height, weight.

(4) No commercial motor vehicle, trailer, semi-trailer, or tractor shall be operated on any highway in this State, the outside width of which is more than ninety-six inches or the extreme over-length of which exceeds twenty-eight feet, nor having a combined weight of vehicle and load of more than thirty thousand pounds, except that such a vehicle exceeding twenty-eight feet may be operated when a special permit so to operate is secured from the Commissioner of Motor Vehicles; nor shall the height of such vehicle exceed

twelve and one-half feet; *provided, however*, that where more than one vehicle or trailer is operated, the length of such vehicles may exceed twenty-eight feet; but in no event shall all such vehicles or trailers so drawn or operated exceed eighty-five feet in length over all. All of the aforesaid dimensions shall be inclusive of the load.

Proviso.

(5) Every commercial motor vehicle or motor-drawn vehicle used on the public highways carrying loads extending beyond the outside dimensions of such vehicle shall have displayed at the outside extremity of such load a red flag by day, which shall be not less than twelve inches square, and a red light by night, and they shall be so hung as to present a full view to the drivers of approaching vehicles. Such red light shall be in addition to the red light now provided for in section seven of this act.

Overhang marked.

(6) No commercial vehicle shall be driven over any bridge in this State upon which bridge is posted in a conspicuous place a sign stating the gross weight which said bridge will carry, if the gross weight of said vehicle and load is greater than the gross weight stated on said sign. In case this section is violated, the owner of the commercial vehicle used in violation of this section, shall, in addition to the penalty in this act prescribed, be responsible to the county or municipality maintaining such bridge for any damage which may be done to such bridge by reason of such violation.

Overweight on bridges.

Liability for damage.

(7) All motor vehicle inspectors shall be authorized to make such tests as in their judgment may be necessary for the purpose of determining the gross weight, size of tires, speed in miles per hour of all commercial motor vehicles and motor-drawn vehicles operated on the highways of this State; and shall have power to cause the said vehicles to be weighed, and for that purpose may order the removal of the vehicle from the highway to the nearest weighing scale.

Tests.

(8) The size of tires used on all commercial motor vehicles or motor-drawn vehicles shall be determined on the maximum width of rubber, and the load shall be so distributed that there shall not be more than eight

Size of tires and load.

hundred pounds per inch in width of tire on any one wheel.

Tractors on  
roads.

(9) The Commissioner of Motor Vehicles shall license farm tractors and traction machines not equipped with rubber tires to travel upon the public highways at a speed not to exceed four miles per hour, in cases where coverings of wood or other substance are attached to the wheels in such manner as to present a smooth surface to the highways and in accordance with such regulations as shall be adopted by the Commissioner of Motor Vehicles. The fee for such license shall be three dollars per annum whether such license shall be issued for the calendar year or for only a portion of the calendar year. The Commissioner of Motor Vehicles may, in his discretion, allow such traction engines or farm tractors to draw agricultural machinery and implements while in transit from one farm to another without additional license therefor.

Fee.

Rate of speed  
for commer-  
cial vehicles.

(10) The maximum rate of speed for commercial vehicles, trailers, semi-trailers, and tractors, including the weight of same and the load thereon, which commercial motor vehicle, trailer, semi-trailer, or tractor shall weigh in excess of four tons and not in excess of six tons, shall be sixteen miles an hour; when the weight of the vehicle and the load thereon shall be in excess of six tons and not in excess of eight tons, the maximum speed shall be fourteen miles per hour; and for all commercial motor vehicles, trailers, semi-trailers and tractors, where the weight of vehicle and load thereon shall be in excess of eight tons and not in excess of fifteen tons the maximum speed shall be ten miles per hour; *provided*, that nothing in this section contained shall be held to alter, amend or repeal any of the provisions of section sixteen of this act.

Proviso.

## (II) CROSS WHEEL LOAD IN POUNDS FOR COMMERCIAL MOTOR VEHICLES, TRAILERS AND TRACTORS EQUIPPED WITH TIRES OF A GIVEN SIZE AND DIAMETER.

Size of Tire.	Single or Dual.	Diameter of Wheel and Load in Pounds.									Table of wheel load.
		30"	32"	33"	34"	36"	38"	40"	42"		
2"	Single	1000	1067	1100	1133	1200	1267	1333	1400		
2½"	Single	1250	1333	1375	1416	1500	1583	1667	1750		
3"	Single	1500	1600	1650	1700	1800	1900	2000	2100		
3½"	Single	1750	1867	1925	1983	2100	2217	2333	2450		
4"	Single	2000	2133	2200	2267	2400	2533	2667	2800		
5"	Single	2500	2667	2750	2833	3000	3167	3333	3500		
6"	Single	3000	3200	3300	3400	3600	3800	4000	4200		
7"	Single	3500	3733	3850	3967	4200	4433	4667	4900		
8"	Single	4000	4267	4400	4533	4800	5067	5333	5600		
10"	Single	5000	5333	5500	5667	6000	6333	6667	7000		
12"	Single	6000	6400	6600	6800	7200	7600	8000	8400		
14"	Single	7000	7467	7700	7933	8400	8867	9333	9800		
2"	Dual	2000	2133	2200	2267	2400	2533	2667	2800		
2½"	Dual	2500	2667	2750	2833	3000	3167	3333	3500		
3"	Dual	3000	3200	3300	3400	3600	3800	4000	4200		
3½"	Dual	3500	3733	3850	3967	4200	4433	4667	4900		
4"	Dual	4000	4267	4400	4533	4800	5067	5333	5600		
5"	Dual	5000	5333	5500	5667	6000	6333	6667	7000		
6"	Dual	6000	6400	6600	6800	7200	7600	8000	8400		
7"	Dual	7000	7467	7700	7933	8400	8867	9333	9800		

## COMMISSIONER TO PASS UPON CONSTRUCTION: SAFETY DEVICES.

22. The Commissioner of Motor Vehicles is given authority to pass upon the construction as to width, height, tires, and equipment with safety devices, of any commercial vehicle of any commercial motor vehicle, trailer, semi-trailer, or tractor, with a view to its safety for use on the roads, and the Commissioner of Motor Vehicles may withhold license from any such vehicle which is not equipped in accordance with the regulations duly adopted by him; *provided*, five days' notice is given by letter or otherwise of such regulation, and may, in the event of failure of compliance and after such license has been issued, revoke or suspend such license or registration in the manner provided in the act to which this act is a supplement, on the ground that such commercial motor vehicle, trailer, semi-trailer, or tractor has not complied with the reasonable regulations of the motor vehicle department.

Passing on equipment.

Proviso.

DEPARTMENT TO IMPOUND MOTOR VEHICLES AND SELL  
SAME COMING INTO ITS POSSESSION BY  
SEIZURE OR OTHERWISE.

Seizure of  
stolen motor  
vehicles.

23. (1) The Commissioner of Motor Vehicles shall have power to authorize the seizure of any motor vehicle operated over the highways of this State when in his judgment he has reason to believe that such motor vehicle has been stolen or is otherwise being operated under suspicious circumstances and to retain the same in the name of the Department of Motor Vehicles of the State of New Jersey until such time as the identity of ownership is established, whereupon he shall order the release of such motor vehicle to the owner thereof.

Sale of seized  
vehicle.

(2) Whenever any stolen motor vehicle shall come into the possession of the Commissioner of Motor Vehicles of this State by seizure or otherwise, said Commissioner of Motor Vehicles shall, after the expiration of ninety days from the date such motor vehicle came into his possession, sell such motor vehicle at public sale, upon notice of such sale being first published for the space of two weeks in one or more newspapers published and circulating in this State, and also by posting such notice in five public places in this State, said newspapers and places of posting to be designated by said Commissioner of Motor Vehicles.

Use of pro-  
ceeds of sale.

(3) Upon the sale of such motor vehicles all claims for interest in such vehicle shall be forever barred and the proceeds realized therefrom shall become the sole property of the State, to be used as other moneys received under the provisions of this act.

JUDICIAL POWERS OF THE COMMISSIONER.

Judicial pow-  
ers vested in  
commissioner.

24. The Commissioner of Motor Vehicles is hereby vested with all the powers of a justice of the peace, recorder, or police judge as are conferred in this act on like officers; and in considering violations of this act the said Commissioner of Motor Vehicles may hold court in any city, town, township or other municipality in the State, upon five days' notice given to the defendants summoned to appear before him. He shall also

Witnesses.

have power to summon witnesses to appear before him

at his office, or at such other place as may be designated by the said commissioner, to give testimony in any hearing which the said commissioner may hold looking toward a revocation of any license issued by or under the authority of the said commissioner. Such summons shall be served at least five days before the return date. Service may be made by registered mail or by personal service. Whenever it shall appear that any person has failed to obey such summons, he shall be subject to a penalty not exceeding one hundred dollars, to be recovered with costs in an action of debt, to be prosecuted by the Attorney-General of the State in addition to which the vehicle registration or driver's license, or both, as the case may be, shall forthwith be revoked. The fees for witnesses required to attend before the commissioner shall be one dollar for each day's attendance and three cents for every mile of travel by the nearest generally traveled route in going to and from the place where the attendance of the witness is required; such fees to be paid when the witness is excused from further attendance, and the disbursements made from payment of such fees to be audited and paid in the same manner provided for expenses of the Department of Motor Vehicles.

Summons.

Penalty for not obeying.

Witness fees.

## PROCEEDINGS.

25. (1) Jurisdiction of offenses; summary hearings; process.—A complaint having been made in writing and duly verified, that any person has violated any of the provisions of this act, any magistrate of the county, or recorder or police magistrate of any municipality, in which the offense is committed may, within thirty days after the commission of said offense, issue either a summons or a warrant directed to any constable, police officer, the inspector of motor vehicles or the Commissioner of Motor Vehicles of this State, for the appearance or arrest of the person so charged; and the magistrate shall state what section or provision of this act has been violated by the defendant, and the time, place and nature of said violation and upon the return of said summons or warrant the said magistrate shall proceed, in a summary way, to hear and determine the guilt or

Warrant issued upon complaint.

Hearing.

innocence of such person, and upon conviction, may impose upon the person so convicted the penalty, by this act prescribed, together with the costs of prosecution for such offense.

Proceedings  
against a  
corporation.

(2) Such magistrate, upon receiving complaint in writing, duly verified, of the violation of any provision of this act by any corporation, is hereby authorized and required to issue a summons directed to any constable, police officer, the inspector of motor vehicles, or the Commissioner of Motor Vehicles of this State, requiring such corporation to be and appear before said magistrate on a day therein named, to answer to said complaint, which said summons shall be served on the president, vice-president, secretary, superintendent or manager of such corporation, or the agent upon whom other process against it may be served, at least five days before the time of appearance mentioned therein, and thereafter all proceedings shall be the same as against individuals, except where a different procedure is provided by this act.

Upon whom  
summons  
served.

Adjourned  
hearing.

26. Adjournment of trial; bail. Any hearing to be held pursuant to this act shall, on the request of the defendant, be adjourned for a period not exceeding thirty days from the return day named in any summons, or from the return day named in any summons, or from the return of any warrant, or from the date of any arrest without warrant; as the case may be; but in such case it shall be the duty of the magistrate to detain the defendant in safe custody, unless he shall make a cash deposit or enter into a bond to the State of New Jersey, with at least one sufficient surety (unless said defendant shall himself qualify and justify, in real estate security situate in this State, in twice the amount fixed by said magistrate for the bond with a surety) to or in an amount not exceeding five hundred dollars, conditioned for his appearance on the day to which the hearing may be adjourned, and thence from day to day, until the case is disposed of; and such bond, if forfeited, may be prosecuted by the Commissioner of Motor Vehicles in any court of competent jurisdiction; and such cash deposit, if forfeited, shall be paid to said Commissioner of Motor Vehicles by said magistrate with whom the

Defendant  
held.

Amount of  
bond.

If bond  
forfeited.

same shall have been deposited, to be by said commissioner disposed of as are other moneys coming to his hands under the provisions of section thirty-seven of this act; *provided, however*, that in lieu of said bond or cash deposit the person under arrest may leave with the magistrate the motor vehicle owned or driven by the said person. Proviso.

27. Right of appeal; stay of execution, bond. The defendant in any proceeding instituted under this act may appeal from the judgment or sentence of the magistrate to the Court of Common Pleas of the county in which such proceedings shall have taken place; *provided*, the said defendant shall, within ten days after the date of said judgment, deliver to the magistrate a bond to the State of New Jersey with at least one sufficient surety, or make a cash deposit with him of such amount as the magistrate shall direct not exceeding the amount of five hundred dollars (unless said defendant can himself qualify and justify in real estate security in this State in twice said amount), conditioned to stand to and abide by such further order or judgment as may thereafter be made against the said party; *and provided, further*, that if the said magistrate shall have imposed a sentence of imprisonment, the defendant, if he does not duly appeal, shall be imprisoned forthwith upon the imposing of said sentence; but that an appeal, properly taken in accordance with the provisions of this act, shall be a stay of and upon the enforcement of a sentence of imprisonment, whether the execution of such sentence shall have been entered upon or not, as well as of such other judgment as may be pronounced; *and provided, further*, that in lieu of the appeal bond, in this section specified, and of the cash deposit therein provided for, the defendant may leave with the magistrate the motor vehicle owned or operated by the said defendant; *and provided, further*, that if said defendant shall, after the rendition of said judgment or sentence, announce to said magistrate his intention to appeal therefrom and either give the bond, make the deposit or leave the motor vehicle as herein provided, he shall have ten days from the date of the rendition of said judgment or sentence within which to Appeal may be taken. Proviso. Cash deposit. Proviso. Proviso.

complete his appeal, during which said ten days the execution of whatever sentence or judgment shall have been rendered, whether of imprisonment or fine, shall be stayed, and in case said defendant shall fail to complete his appeal within said ten days, the like proceedings may be had as would by the provisions of this act follow an appeal taken and a judgment of affirmance thereupon.

All moneys  
and papers  
sent to court  
when appeal  
taken.

28. Record of appeal, summary trial. Whenever an appeal shall be taken as aforesaid, it shall be the duty of the magistrate to send all papers and all money, if any, deposited according to the provisions of this act, and all money paid for costs of prosecution, together with a transcript of the proceedings in the case, to the next Court of Common Pleas, of the said county, which court shall, de novo, and in a summary way, try and determine all such appeals and in case the judgment or sentence of the magistrate shall be reversed on such appeal, the said Common Pleas Court shall order the return of all money deposited, as aforesaid, and all costs of prosecution paid by said defendant to said defendant.

Trial.

Proceedings  
on Sunday.

29. Proceedings may be instituted on Sunday. Proceedings under this act may be instituted on any day of the week, and the institution of such proceedings on Sunday shall be no bar to the successful prosecution of the same; and any process served on Sunday shall be as valid as if served on any other day of the week.

Prosecutions  
in name  
of State.

30. Pleadings; when bond for costs may be demanded. All proceedings for the violation of the provisions of this act shall be entitled and shall run in the name of the State of New Jersey, with the Commissioner of Motor Vehicles, or a motor vehicle inspector, or a police officer, or a constable, or such other person as shall by complaint institute the proceedings as prosecutor; and any magistrate may, at his discretion, refuse to issue a warrant on the complaint of any person other than the Commissioner of Motor Vehicles, or a motor vehicle inspector, or a police officer, until a sufficient bond to secure costs shall have been executed and delivered to the said magistrate.

Magistrate's  
discretion.

Who have  
power to  
arrest.

31. (1) Arrest without warrant; detention of person; hearing. Any constable or police officer, or motor ve-

hicle inspector, or the Commissioner of Motor Vehicles is hereby authorized to arrest, without warrant, any person violating in the presence of such constable, or police officer, or motor vehicle inspector, or the Commissioner of Motor Vehicles any of the provisions of this act, and to bring the defendant before any magistrate of the county where such offense is committed. The person so offending shall be detained in the office of the magistrate until the officer making such arrest shall make oath or affirmation, which he shall do forthwith, declaring that the person under arrest has violated one or more of the provisions of this act, and specifying the provision or provisions violated, whereupon said magistrate shall issue a warrant returnable forthwith, and the said magistrate shall proceed summarily to hear or postpone the case as provided in sections twenty-six and twenty-seven of this act. And any such constable or police officer, or motor vehicle inspector, or the Commissioner of Motor Vehicles, upon satisfying himself that such offender is a resident of this State, may instead of arresting such offender as hereinabove provided, serve upon him a summons in the name of any police court, recorder's court or other court of competent jurisdiction in the county, city, town, township, village, borough or other municipality wherein such officer shall be authorized to discharge his duties, directing such offender to appear and answer such charge or charges as may then and there be referred against him; and for this purpose the county, city, town, township, village and borough clerks respectively shall provide the said officer or officers with a form of summons, which when filled out, executed and issued by the said officer or officers, in such cases as herein provided, shall be good and effectual according to the purpose and intent thereof.

Detention  
of person  
arrested.

Summons  
served instead  
of arrest.

Form of sum-  
mons.

(2) Any person arrested for a violation of any of the provisions of this act shall, upon demand of the magistrate hearing the complaint against said person, produce his license for inspection, and if said person shall fail to produce his license or to give a satisfactory excuse for its non-production, he shall, in addition to

Production  
of license.

Penalty. any other penalties imposed by said magistrate, be subject to a fine of not more than twenty-five dollars.

Where summons valid. 32. Validity of warrant; cash deposit or recognizance. A summons or warrant issued by any magistrate in accordance with the provisions of this act shall be valid throughout the State, and any officer who has power to serve the said summons, or to serve said warrant and make arrests thereon in the county where the same shall have been issued, shall have like power to serve said summons and to serve said warrant and make arrest thereon, in any of the several counties of the State.

May be taken to county where alleged offense occurred. If any person shall be arrested for a violation committed in the county other than that in which the arrest shall take place, the person so arrested may demand to be taken before a magistrate of the county in which the arrest may have been made for the purpose of making a cash deposit or of entering into a recognizance with sufficient surety; whereupon the officer serving the said warrant shall take the person so apprehended before a magistrate of the county in which the arrest shall have been made, who shall thereupon fix a day for the matter to be heard before the magistrate issuing the said warrant, and shall taken from the person apprehended a cash deposit or recognizance to the State of New Jersey with sufficient surety or sureties for the appearance of the said person at the time and place designated in accordance with the provisions of section twenty-seven of this act. The cash deposit or recognizance so taken shall be returned to the magistrate issuing the warrant, to be retained and disposed of by him as by this act provided.

Recognizances. 33. Fees. The fees provided in the following schedule and no other charges whatsoever shall be allowed the magistrate and officer in proceedings under this act, and where no fee is provided for any necessary service to be performed, the same shall be performed without any charge therefor.

JUSTICES.	
Fees allowable.	Complaint, . . . . . 10 cents.
	Summons or warrant when necessary to be issued, but not in case of arrest without warrant based on complaint, . . . . . 10 cents.

Justices.	Complaint, . . . . . 10 cents.
	Summons or warrant when necessary to be issued, but not in case of arrest without warrant based on complaint, . . . . . 10 cents.

Copies, .....	5 cents each.
Subpoena, .....	10 cents.
Administering oath to each witness, .....	10 cents.
Each adjournment, .....	15 cents.
Entry of judgment, .....	20 cents.
Recognizance or bond, drawing entry and approval of, .....	25 cents.
Execution, .....	25 cents.
Making return to certiorari, .....	50 cents.
Granting appeal and necessary papers, .....	50 cents.
Hearing contested case, .....	50 cents.
Hearing non-contested case, .....	25 cents.

CONSTABLE.

Service of summons or warrant (except in cases of arrest on view where no costs for service), .....	30 cents.	Constables.
Service of subpoena (except where subpoena to party present at time of arrest, where no costs), .....	30 cents.	
Service of execution, .....	75 cents.	
For every mile of travel in serving any summons or warrant, after the first mile, computed by counting the number of miles in and out, by the most direct route from the place where such process is returnable, ...	3 cents.	

Witnesses. For each witness, not exceeding three to each party, twenty-five cents, and which shall be paid by the defendant if the defendant be found guilty of the charge laid against him; but if, on appeal, said judgment be reversed, said costs shall be repaid to said defendant as hereinbefore provided. If the defendant be found not guilty of the charge or charges laid against him, then the costs must be paid by the prosecutor, except that when in such instances the Commissioner of Motor Vehicles or the inspector of motor vehicles or a police officer shall have been the prosecutor.

PENALTIES.

34. Any person who shall be convicted of violating the provisions of section thirteen of this act shall be subject to a fine not exceeding one hundred dollars; in

Display of markers.

- Proviso. 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 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. Any person convicted of displaying a fictitious number as prohibited by section thirteen, or violating the provisions of section ten 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.
- False number. Any person convicted of displaying a fictitious number as prohibited by section thirteen, or violating the provisions of section ten 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. Any person who shall be convicted of a violation of section nine of this act shall be subject to a fine not exceeding one hundred dollars.
- Not registered. Any person who shall be convicted of a violation of section sixteen 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 provisions of this act.
- Penalty for violating rates of speed. Any person who shall be convicted of violating any of the provisions of section seven or section fifteen shall be subject to a fine not exceeding twenty-five dollars.
- Proviso. Any person who shall be convicted of violating any of the provisions of section seven or section fifteen shall be subject to a fine not exceeding twenty-five dollars.
- Other penalties. Any person who shall be convicted of violating any of the provisions of section seven or section fifteen shall be subject to a fine not exceeding twenty-five dollars.

REVOCATION OF LICENSE: APPEAL: REINSTATEMENT:  
REVIEW.

- Revocation of license. 35. It shall be lawful for a magistrate before whom any hearing under this act shall be had, to revoke the license of any person to drive a motor vehicle when

such person shall have been guilty of such wilful violation of the provisions of this act as shall in the discretion of the said magistrate justify such revocation, but an appeal of the matter to the Court of Common Pleas shall act as a stay upon the said revocation, and the Court of Common Pleas upon the appeal of the said matter shall have the power to void the said revocation; and the Commissioner of Motor Vehicles shall at all times have the power to validate a license that has been revoked, or to grant a new license to any person whose license to drive motor vehicles shall have been revoked.

Appeal as stay.

Commissioner may validate license re-voked.

It shall be lawful for the justice of the Supreme Court holding the circuit in each of the counties of this State, upon application made to him by a verified petition for that purpose by any person against whom a judgment or sentence for the violation of any of the provisions of this act shall have been rendered, who may desire to have the legality of his conviction reviewed or the reasonableness of the sentence or penalty imposed, to order the said complaint, process, proceedings, evidence and record of conviction to be forthwith brought before him, that the legality of such proceedings and sentence or judgment, or the reasonableness of the sentence or penalty may be summarily reviewed and determined; and if such proceedings and sentence of judgment shall thereupon be found to be illegal, or the sentence or penalty be unreasonable, forthwith to set aside the same and to order the remission or reduction of any fine and costs that may have been imposed or the discharge of any offender from custody.

Justice of Supreme Court may review complaint, etc.

Finding.

DISPOSITION OF MONEYS: RECEIVED FROM FINES:  
PENALTIES.

36. Moneys received in accordance with the provisions of this act, whether from fines, penalties, registration fees, license fees, or otherwise, shall be accounted for and forwarded to the Commissioner of Motor Vehicles, and by him paid over to the Treasurer of the State of New Jersey, to be used by the State Highway Commission as a fund for the repair of such improved roads through the State as said State Highway Commission shall designate, regard being had to the repair

All moneys to accrue to State for repair of roads.

Proviso; main-  
tenance of  
department.

of the most important improved roads, and the distribution of the benefits of this act throughout the several counties of this State; *provided, however,* that there shall first be deducted from the moneys as aforesaid received, the amount appropriated by the Legislature in any annual or supplemental bill for the maintenance of said Department of Motor Vehicles, which said sum so deducted shall become a part of the general State fund.

MACHINE HELD AS BAIL: REDEMPTION.

Redemption  
of motor  
vehicle held  
as security.

37. When any motor vehicle shall have been deposited under this act in lieu of bond, the said motor vehicle shall be held the property of the State of New Jersey subject to the same conditions as would govern the bond under like circumstances, and may be redeemed by the person depositing the same upon delivery of the requisite bond or upon paying such fine and submitting to such penalty as may be imposed; and unless the motor vehicle so deposited in lieu of bond shall be redeemed within ten days next following the date of the final determination of the matter, it shall be lawful for the Commissioner of Motor Vehicles to sell the same at public auction and apply the net proceeds of said sale (the expense of the matter having been deducted) as set forth in section thirty-seven hereof.

Sale.

JUSTICES' JURISDICTION LIMITED.

Justice of  
peace not to  
act in city.

38. Nothing in this act shall be construed to give jurisdiction to justices of the peace in any city having a police justice or recorder's court.

Report by  
justices, etc.,  
to commis-  
sioner.

39. Every justice of the peace, police magistrate, recorder or police judge shall make a report to the Commissioner of Motor Vehicles of all cases heard before him for violation of the Motor Vehicle Act or for any other violation in which a motor vehicle was used in any way in writing within three days after the disposition of such case before him as a magistrate upon blanks provided by the said Commissioner of Motor Vehicles for this purpose, and such report shall state the nature of the violation, the disposition of the case by the said magistrate, and any recommendations which the said magistrate may deem of value to the said commissioner

in determining whether action be taken against the license of the driver or owner of such motor vehicle.

## EFFECT OF PARTIAL INVALIDITY OF ACT.

40. 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. As to constitutionality of act.

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

42. This act shall take effect January first, one thousand nine hundred and twenty-two. Act effective.

Approved April 8, 1921.

## CHAPTER 209.

An Act declaring it a felony to wilfully and maliciously burn or cause to be burned or to set fire to, or to attempt to set fire to, or to otherwise destroy any motor vehicle.

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

1. If any person shall wilfully and maliciously burn or cause to be burned, or set fire to, or attempt to set fire to any motor vehicle, with intent thereby to defraud or prejudice any person or body politic or corporate that has underwritten or shall underwrite any policy of insurance thereon, or with intent thereby to destroy the property of another, then, and in every such case, the person so offending shall be guilty of a felony, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars, and to undergo imprisonment not exceeding five years. Unlawfully destroying motor vehicles. Penalty.

2. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 210.

An Act to eliminate, restrict and control manufactures involving certain fire hazards in cities of this State.

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

Making certain dangerous compounds prohibited in cities.

1. The manufacture of nitro-cellulose or of any compound or derivative thereof, or the manufacture of any article or articles from any substance containing pyroxyline or having a nitro-cellulose base, is hereby prohibited in cities of this State, in any building or structure, which is now, or which may be hereafter located, erected, or situated on any property within two hundred and fifty feet of any other property on which is located, erected or situated any building, structure or edifice herein enumerated and specified: viz., (a) any public or private school or other educational institution; (b) any theatre or other place of amusement wherein public entertainments are held on an average of four days per week; (c) any church or other religious institution; (d) any Young Men's or Young Women's Christian Association; (e) any hospital, home or other institution in which sick, disabled, aged, infirm or mentally defective persons are habitually treated, nursed, harbored, sheltered or maintained.

Legality of present manufacture.

2. The provisions of this act shall not be held nor construed to affect, prevent or illegalize in any way the conduct of any business embodying or embracing the manufacture of any of the products or articles prohibited in the foregoing section of this act in any building, plant or structure, wherein such manufacture is being legally and actually engaged in, carried on or conducted on the day on which this act shall take effect.

Validity of license.

3. Any license or permit issued or granted by any municipal board or body, having jurisdiction and control over fire hazards, for the manufacture of the products or articles as set forth in, and under the conditions particularly enumerated and mentioned in the first

section of this act, is hereby declared to be inoperative, void and of no effect where such manufacture has not been lawfully and actually carried on or conducted either on or prior to the day on which this act shall become operative.

4. Any person or persons violating any of the provisions of this act shall be guilty of a misdemeanor. Penalty.

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

6. If any section of this act, or part thereof, shall be hereafter held unconstitutional, the remaining part of the act shall not thereby fail. As to constitutionality of act.

7. This act shall take effect immediately.

Approved April 8, 1921.

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#### CHAPTER 211.

An Act to amend an act entitled "An act to amend an act entitled 'An act concerning District Courts (Revision, 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,'" approved April first, one thousand nine 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 is an amendment is hereby amended to read as follows: Section 31 amended.

31. No justice of the peace or small cause court shall have jurisdiction over any cause or proceedings cognizable before a District Court where the defendant or defendants resides within any city or judicial district where a District Court is established, nor shall any justice of the peace resident within the limits of any city or judicial court where a District Court is as may be established, exercise any civil jurisdiction whatever. When justice of peace has no jurisdiction.

*Provided, however,* that in judicial districts that are or may be created in counties of this State bordering Proviso.

on the Atlantic ocean, the justice of the peace or small cause court shall have jurisdictions in every such District Court district in every suit of a civil nature where the debt, balance, damages or other matter in dispute does not exceed exclusive of costs the sum of fifty dollars as if there were no judicial district in said county.

Repealer.

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

Approved April 8, 1921.

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CHAPTER 212.

A Supplement to an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

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

Reimbursing  
municipalities  
for money  
expended.

1. Wherever any work shall be done or money expended by any municipality, for which an individual or corporation is liable, such municipality shall be authorized to collect from such individual or corporation such sum or sums as shall be necessary to reimburse said municipality and that such sum or sums when received shall be placed in the municipal funds to the credit of the appropriation, from which the cost of doing such work shall have been expended.

2. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 213.

An Act to permit county clerks to deposit in local public libraries or with local historical societies files of newspapers which they were formerly required to preserve as county records.

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

1. It shall be lawful and county clerks are hereby authorized and empowered to deposit or transfer to public libraries, or to place in the custody of local historical societies, where such organizations have suitable facilities, files of certain newspapers which the said county clerks were formerly required to preserve as county records under the act approved March ninth, one thousand eight hundred and forty-eight, and repealed by the act approved April second, one thousand nine hundred and two.

Deposit of  
newspapers  
in libraries  
by county  
clerks.

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 8, 1921.

## CHAPTER 214.

An Act for the relief of Bridget Snyder.

WHEREAS, Matthew Snyder, a resident of the city of Trenton, county of Mercer and State of New Jersey, while in the employ of the State of New Jersey, as a foreman in the Department of Public Roads, and while in the performance of and in the line of his duty, sustained injuries which caused his death; and

Preamble.

Preamble.	WHEREAS, He left him surviving Bridget Snyder, his widow; therefore,
	BE IT ENACTED <i>by the Senate and General Assembly of the State of New Jersey:</i>
Pension Amount.	1. That there be paid to the said Bridget Snyder, in monthly payments from the treasury of this State, a pension at the rate of fifty dollars per month, such payments to be made by the Treasurer upon the warrant of the Comptroller. Such pension shall commence as of the eighteenth day of August, A. D. one thousand nine hundred and twenty.
Pension in full of all demands.	2. Such pension shall be in lieu of any and all moneys due or owing, or to become due or owing, by the State to the said Bridget Snyder by reason or by virtue of any law or laws of this State.
When void.	3. Said pension shall become inoperative upon the remarriage of the said Bridget Snyder.
	4. This act shall take effect immediately.
	Approved April 8, 1921.

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CHAPTER 215.

An Act to validate conveyances of lands made to and by the First Reformed Church of Bayonne, New Jersey.

Preamble.	WHEREAS, Conveyances of lands have heretofore been made to and by the First Reformed Church of Bayonne, New Jersey, as a body corporate, when, in fact, said church was not a body politic and corporate under the laws of the State of New Jersey.
	BE IT ENACTED <i>by the Senate and General Assembly of the State of New Jersey:</i>
Validating conveyances.	1. All conveyances of lands in the State of New Jersey heretofore made to and by the First Reformed Church of Bayonne, New Jersey, are hereby confirmed and made and declared to be legal, valid and effective,

as fully and effectually to all intents and purposes as though said First Reformed Church of Bayonne, New Jersey, had been duly incorporated under the laws of the State of New Jersey at the time of the making of such conveyances.

2. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 216.

An Act to amend an act entitled "An act concerning intoxicating liquors used or to be used for non-beverage purposes," passed April sixth, one thousand nine hundred and twenty-one.

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

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

Section 45  
amended.

45. No retail druggist shall fill any prescription of a physician for liquor except under and according to the conditions prescribed by this act and by the laws of the United States and the regulations of the commissioner.

Filling pre-  
scriptions.

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

Act effective.

Approved April 8, 1921.

## CHAPTER 217.

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

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

Section 46  
amended.

1. Section forty-six (46) of the act to which this act is an amendment, as heretofore amended, is hereby further amended so as to read as follows:

Provisions  
of act ex-  
tended.

46. The provisions of this act with all the penalties, privileges and advantages thereof shall be and hereafter are extended to and for the benefit of associations known as Young Men's Christian Associations, and to and for the benefit of Young Women's Christian Associations, and to and for the benefit of Young Men's Hebrew Associations, and to and for the benefit of Young Women's Hebrew Associations, and to and for the benefit of Young Men's and Young Women's Hebrew Associations in the State of New Jersey.

Section 47  
amended.

2. Section forty-seven (47) of the act to which this act is an amendment, as heretofore amended, is hereby further amended so as to read as follows:

Adoption of  
name and in-  
corporation.

47. The Young Men's Christian Associations, the Young Women's Christian Associations, the Young Men's Hebrew Associations, the Young Women's Hebrew Associations, and the Young Men's and Young Women's Hebrew Associations of this State are hereby authorized by a majority of the votes cast at a meeting of the association, held in their regular place of meeting, called by them, by ten days' notice in writing, set up at such place, in plain view, to adopt a name, constitution and by-laws, and elect a board of directors, not to exceed fifteen, and declare themselves incorporated by such name; except, however, that in case of Young Men's and Young Women's Hebrew Associations such board of directors may exceed fifteen, but shall not

exceed thirty; a copy of such resolution, with the names of said directors, together with a copy of the official seal of the said association, certified to be correct, under oath, by the officers of the meeting or meetings when said resolution was adopted, directors elected and seal adopted, shall be filed in the office of the clerk of the county in which said association is located, and such association shall thereupon be incorporate, with all the powers authorized by this act. The filing fee for such certificate shall be one dollar.

Certified copy filed with county clerk.

Filing fee.

3. This act shall take effect immediately.  
 Approved April 8, 1921.

CHAPTER 218.

An Act concerning city plan commissions in cities of the second class.

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

1. In any city of the second class the mayor may or may not in his discretion appoint a commission to be known as the "City Plan Commission," to consist of seven members. Of the original appointees to such commission two members shall be appointed for a term of one year, two members for a term of two years, and three members for a term of three years. The successors of the original appointees shall be appointed for a term of three years. All appointments to fill vacancies shall be for the unexpired term. The members of such commission shall serve without pay. The chairman of such commission shall be designated by the Mayor.

Appointment of commission.

Terms.

Chairman.

Maps and plans.

2. Such City Plan Commission shall prepare plans and maps for the systematic future development and betterment of such city. It may make changes in such plans or maps when it deems such changes advisable. Such plans or maps may show any and all matters and things relative to the expansion and growth of the city,

the promotion of its economic and industrial prosperity, and the enhancement of the health, comfort and convenience of its people as such City Plan Commission may determine. Such commission may, moreover, study and in its discretion recommend ways and means which will tend to prevent or relieve congestion either of population or of traffic, to control the fire hazard, to co-ordinate or improve transportation facilities, to preserve the natural and historic features of the city, and to beautify the city. Such commission may also prepare and issue reports on the best method of financing and assessing the cost of public improvements. Such commission may investigate, prepare surveys of and make recommendations on any matter which will in its opinion make the community either a better place to live in or a better place to work in. Plans may be made by such commission for new streets, roads, boulevards, alleys, ways, viaducts, bridges, subways, parkways, parks, playgrounds, aviation grounds, rail and water terminals, docks, wharves, canals, basins, tunnels, markets, waterfront improvements, public utilities, public buildings and all other public improvements. Where any of the foregoing shall exist, then the City Plan Commission may make recommendations as to either their removal, relocation, widening or extension.

3. The mayor, common council or governing commission of such city shall have power at any time to request such City Plan Commission to report on how any action contemplated on any of the matters referred to in the preceding section of this act fits into or co-ordinates with a comprehensive plan of the city. In requesting such report, said mayor, common council or governing commission may fix the time within which such City Plan Commission shall report upon any matter or class of matters referred to it. No such request, however, shall deprive said City Plan Commission of its right or relieve it of its duty, to report at such time as it deems proper upon any matter referred to in the preceding section of this act.

4. Such City Plan Commission shall have power and authority to employ such experts, secretaries, clerks, draughtsmen and other subordinates as it may require

Study of conditions.

Financing improvements.

New streets, parks, markets, etc.

Contemplated action.

Report.

Assistants.

and to pay for their services and such other expenses as may be necessary and proper for the conduct of the commissioners' work, including necessary disbursements incurred by the members of the commission in the performance of their duties as members of the commission, *provided*, such disbursements shall have been authorized by such commission. The board or body having charge of the finances of any city of the second class is hereby authorized and empowered to appropriate an amount necessary for the work of such City Plan Commission. The moneys for said commission shall be raised by annual tax upon real and personal property as other taxes are raised in and for such city; *provided, however*, that for the fiscal year in which operation under this act is commenced, such moneys may be raised by said board or body having charge of the finances of such city by appropriating for that purpose any moneys in the treasury of such city not otherwise appropriated, or by issuing and selling temporary loan bonds or certificates of indebtedness; *provided*, that the payment of such bonds or certificates, with interest, shall be provided for in the next tax levy.

Proviso.

Appropriation.

Proviso.

Proviso.

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

Repealer.

6. This act shall take effect immediately.  
Approved April 8, 1921.

## CHAPTER 219.

An Act to amend an act entitled "An act to amend '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 nineteenth, one thousand nine hundred and twenty.

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

Section 1  
amended.

Definitions  
of sundry  
terms.

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

1. 247. (1) The following words and phrases used in this act shall have the following meanings unless a different meaning is plainly required by the context:

(2) "Retirement System" shall mean the "Teachers' Pension and Annuity Fund," created by section two hundred and forty-eight of this article.

(3) "Teachers' Retirement Fund" shall mean the Teachers' Retirement Fund of the State of New Jersey, as created by chapter 32, P. L. 1896; chapter 178, P. L. 1899; chapter 96, P. L. 1900; chapter 36, P. L. 1902; chapter 1, Second Special Session, P. L. 1903; chapter 95, P. L. 1905; chapter 314, P. L. 1906; chapter 139, P. L. 1907, and amendments thereto and supplements thereof.

(4) "Board of Trustees" shall mean the board provided for in section two hundred and fifty-five of this article.

(5) "Commissioner of Education" shall mean the Commissioner of Education of the State of New Jersey.

(6) "Employer" shall mean the State of New Jersey, or the school district, normal school district, board or other agency of and within the State by which the teacher is paid.

(7) "Teacher" shall mean any regular teacher, special teacher, helping teacher, teacher-clerk, principal, vice-principal, supervisor, supervising principal, director, superintendent, city superintendent, assistant city superintendent, county superintendent, State commissioner or assistant commissioner of education and other member of the teaching or professional staff of any class, public school, high school, normal school, model school, training school, vocational school, truant reformatory school, or parental school, and of any and all classes or schools within the State of New Jersey conducted under the order and superintendence, and wholly or partly at the expense of the State Board of Education, of a duly elected or appointed board of education, board of school directors, or board of trustees of the State or of any school district or normal school district thereof, and any such person under contract or engagement to perform one or more of these functions; *provided*, that no person shall be deemed a teacher within the meaning of this article who is a substitute teacher or is a teacher not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods. In all cases of doubt the board of trustees shall determine whether any person is a teacher as defined in this article.

Teacher defined.

Proviso.

(8) "Present-entrant" shall mean any teacher who is a member of the retirement system under the provisions of class B, C, D and E, under sub-section (2) of section two hundred and forty-nine of this article. And in addition to the above-mentioned persons defined as teachers, there shall also come under the provisions of the act to which this act is an amendment, for pension and annuity purposes, and subject to the same provisions as applied to teachers, any janitor, assistant janitor, janitress, engineer, firemen or any janitorial employees of a board of education of any school district, or of any public school, high school, normal school, model school, training school, vocational school, truant reformatory school, parental school within the State.

(9) "New-entrant" shall mean any teacher who is a member of the retirement system, except a present-entrant.

(10) "Contributor" shall mean any person who has an account in the annuity savings funds.

(11) "Beneficiary" shall mean any person in receipt of a retirement allowance or other benefit as provided in this article.

(12) "School Service" shall mean any service as a teacher as defined by sub-section (7) of this section.

(13) "School Year" shall mean the official school year of the school district or the institution in which a teacher is employed.

(14) "Regular Interest" shall mean interest at four per centum per annum, compounded annually.

(15) "Accumulated Deductions" shall mean the total of the amounts deducted from the salary of a contributor and credited to his individual account in the annuity savings fund together with the interest thereon. Regular interest shall be computed and allowed on such total or part thereof when used for the purchase from the retirement system of a retirement annuity. Interest at the rate of three and one-half per centum per annum, compounded annually, shall be computed and paid on such total amounts or part thereof when withdrawn for any other purpose.

(16) "School Apportionment Fund" shall mean the moneys retained in the State treasury to be apportioned to the several counties of the State by the Comptroller for school purposes, as defined in chapter 146, P. L. 1906, and chapter 65, P. L. 1909.

(17) "Average Salary" shall mean the average annual salary earnable by and as a teacher for the last five years preceding retirement.

(18) "Pension" shall mean annual payments for life derived from the pension fund or from the pension reserve fund as provided in this article. All pensions shall be paid in monthly installments.

(19) "Annuity" shall mean payments for life derived from contributions made by a contributor as provided in this article. All annuities shall be paid in monthly installments.

(20) "Retirement Allowance" shall mean the pension plus the annuity.

(21) "Pension Reserve" shall mean the present value computed on the basis of such mortality tables as shall be adopted by the board of trustees, with regular interest of the future payments to be made on account of any pension granted to a member.

(22) "Annuity Reserve" shall mean the present value computed on the basis of such mortality tables as shall be adopted by the board of trustees, with regular interest of the future payments to be made on account of any annuity granted to a member.

(23) "Prior Service" shall mean service rendered as a teacher either within or without the State of New Jersey prior to September first, nineteen hundred and nineteen, and for purposes of credits, prior service outside the State of New Jersey shall be construed absolutely and not proportionally within the limits otherwise provided for in this act.

2. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 220.

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. The species of birds known as bobolinks, or reed birds, be and the same are hereby classified as insectivorous and song birds, and shall receive the same protection afforded by said act to birds other than game birds, the provisions of said act being, for such purpose, extended so as to include such birds under the said classification.

Classification  
of certain  
birds.

- Repealer. 2. All acts or parts of acts inconsistent herewith be and the same are hereby repealed, and that this act shall take effect immediately.  
Approved April 8, 1921.

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CHAPTER 221.

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:
- 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 a 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 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 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.
- Form of application.
- Academic requirement.

A. No persons who have graduated after the first day of July, one thousand nine hundred and nineteen shall be admitted to examination for license to practice medicine and surgery, unless he shall present to said board a certificate from the Commissioner of Education of this State, showing that in addition to, and subsequent to, obtaining the preliminary and academic education above mentioned and prior to commencing his or her study in a medical college, he or she had completed a satisfactory course of one year in a college or school of art and science approved by the Commissioner of Education of this State, during which year he or she had studied either French or German, and also chemistry, physics and biology; *provided, however*, that the board may in its discretion, admit to examination for license to practice medicine and surgery any person who by reason of having been engaged in the naval or military service of the United States shall be unable to appear before said board for examination prior to July first, one thousand nine hundred and nineteen.

Scholastic requirements after 1919.

Proviso.

B. No person who has graduated after the first day of October, one thousand nine hundred and twenty shall be admitted to examination for license to practice medicine or surgery, unless he shall present to said board a certificate from the Commissioner of Education of this State, showing that in addition to, and subsequent to, obtaining the preliminary and academic education mentioned in the first paragraph of this section and prior to commencing his or her study in a medical college, he or she had completed a satisfactory course of two years in a college or school of art and science approved by the Commissioner of Education of this State, during which two years he or she had studied either French or German, and also chemistry, physics and biology.

Additional requirements after 1920.

C. 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

Receipt of medical diploma required.

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; such applicant, if he has graduated after the first day of July, one thousand nine hundred and sixteen, shall in addition to the above requirements, further prove to said board that after receiving such degree, diploma or license, he has served as an interne for at least one year in a hospital approved by said board; *provided, however*, that candidates for license to practice medicine and 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 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.

D. Candidates for license to practice medicine or surgery who were graduated from the 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 of good moral

Four years' study of medicine.

Proviso.

Proviso.

Examination of certain practitioners.

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 exemption contained in this section.

E. 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 such 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, or by the National Board of Medical Examiners, and that at the time of the granting of such license the standard of requirements for license to practice medicine and surgery in the State where such license was granted, or for permission to take the examination of the National Board of Medical Examiners, was at least substantially equal to the standard of requirements for such license in force in this State at said time, 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 with-

Proviso.

Examination  
fee.

Re-examina-  
tion.

Certificate  
of character,  
etc.

- License fee. out further examination upon payment to the treasurer of said board of a license fee of one hundred 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.
- Section 6 amended. 2. Section six of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows:
- Causes for refusing, or revoking license. 6. The board may refuse to grant or may revoke a license for the following Causes: 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 or shall have presented to this board any diploma, license or certificate that shall have been illegally obtained, or shall have been signed or issued unlawfully or under fraudulent representations or where a license to practice in this State has been obtained or shall have been obtained through fraud of any kind. Before any license shall be revoked, the accused person shall be furnished with a copy of the complaint and given a hearing before said board in person or by 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.
- Hearing allowed. 3. 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:
- Section 9 amended. 9. The prohibitory provisions in this act as amended shall not apply to the commissioned surgeons of the United States army, navy or marine hospital service while so commissioned or to lawfully qualified physicians or surgeons residing in other States or foreign countries meeting registered physicians and surgeons of this State in consultation, or to legally qualified physicians or surgeons of another State taking charge of the practice of a legally qualified physician or surgeon of this State temporarily during the latter's absence therefrom, and upon the written requests to said board therefor, or to any physician or surgeon of another
- Exceptions to application of act.

State or foreign country, and duly authorized under the laws thereof, to practice medicine and surgery therein; *provided*, that such practitioner shall not open an office or place for the practice of his profession within the borders of this State; or to any one while actually serving as a member of the resident medical staff of any legally incorporated charitable or municipal hospital or asylum; or to the practice of osteopathy as defined in an act entitled "An act to regulate the practice of osteopathy in the State of New Jersey, and to license osteopathic physicians to practice in this State and punish persons violating the provisions thereof," approved April second, one thousand nine hundred and thirteen, or any act supplementary thereto and amendatory thereof, by any person duly licensed to practice osteopathy in accordance with the provisions of the act last mentioned, and any act supplementary thereto or amendatory thereof, or to the practice of dentistry by any legally qualified and registered dentist, or to the ministrations, or treatment of, the sick or suffering by prayer or spiritual means, whether gratuitously or for compensation, and without the use of any drug or material remedy, or to the practice of optometry by any person holding a valid certificate of registration under an act entitled "An act to regulate the practice of optometry, to license optometrists, and to punish persons violating the provisions thereof," approved April seventeenth, one thousand nine hundred and fourteen, or any act supplementary thereto and amendatory thereof, or to the practice of chiropody by any legally licensed chiropodist, or to any person claiming the right to practice medicine and surgery in this State who has been practicing therein since before the fourth day of July, one thousand eight hundred and ninety; *provided*, said right or title was obtained upon a duly registered diploma, of which the holder and applicant was the lawful possessor, issued by a legally chartered medical institution which, in the opinion of said board, was in good standing at the time said diploma was issued, or the giving of treatment by electricity by any person resident of this State who has been continuously engaged in giving treatment by electricity herein during the past fourteen years; *pro-*

Proviso.

Proviso.

Proviso.

*vided*, that said person has graduated from a legally incorporated electro-therapeutic school in good standing, or to the practice of pharmacy by any legally licensed and registered pharmacist of this State, but this exception shall not be extended so as to give said licensed pharmacist the right and authority to carry on the business of a dispensary, unless said dispensary shall be in charge of a legally licensed and registered physician and surgeon of this State, or to the practice of veterinary medicine, surgery or dentistry in any of its branches by any legally licensed and registered veterinary physician, surgeon or dentist of this State, or to any professional nurse, masseur or electrician while operating in each particular case under the specific direction of a regularly licensed physician or surgeon, or to any person or persons while giving aid, assistance or relief in emergency or accident cases pending the arrival of a regularly licensed physician and surgeon.

Section 10  
amended.

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

Penalty for  
violation of  
act.

10. Any person hereafter commencing or continuing the practice of medicine and surgery in any of its branches in this State without first having obtained and filed the license herein provided for, or contrary to any of the provisions of this act, and any person who shall practice medicine or surgery under a false or assumed name, or who shall falsely impersonate another practitioner of a like or different name, or who shall buy, sell or fraudulently obtain any diploma as a doctor of medicine, or any medical license, record or registration, or any person, company or association who shall employ for a stated salary or otherwise, or give aid or assist any person not regularly licensed to practice medicine or surgery in this State, to practice medicine or surgery in this State, or who shall violate any of the provisions of this act, shall be liable to a penalty of two hundred dollars, which penalty shall be sued for and recovered by and in the name of the State Board of Medical Examiners of New Jersey. Every District Court in any city or judicial district in any county, and every Court of Common Pleas in any county is hereby empowered,

Courts hav-  
ing juris-  
diction.

upon filing of a complaint in writing, duly verified, which said verification when made by any member of the said State Board of Medical Examiners of New Jersey, or by any member of any incorporated medical society of this State or of any county of this State, may be made upon information and belief, that any person has violated any provision of this act to issue process at the suit of the State Board of Medical Examiners of New Jersey as plaintiff; such process shall be either in the nature of a summons or warrant, which warrant may issue without any order of the court or judge first being obtained against the person or persons so charged, with process, when in the nature of a warrant, shall be returnable forthwith, and when in the nature of a summons shall be returnable in not less than five or more than fifteen entire days; such process shall state what provision of the law is alleged to have been violated by the defendant or defendants, and on the return of such process or at any time to which the trial shall be adjourned, the said court shall proceed in a summary manner, without a jury, 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 shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or neglect to forthwith pay the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for any period not exceeding one hundred days; that the officers to serve and execute all process under this act shall be the officers authorized to serve and execute process in said courts; that said District Court or Court of Common Pleas shall have power to adjourn the hearing or trial in any case from time to time, but in such case, except in cases in which the first process was a summons, it shall be the duty of the judges of the District Court or the Court of Common Pleas to detain the defendant in safe custody, unless he shall enter into bond to the said State Board of Medical Examiners of New Jersey, with at least one sufficient surety in double the amount of the penalty claimed, conditioned for his

Complaint.

Process to issue.

Officers to serve process.

Detention of defendant.

appearance on the day to which the hearing shall be adjourned, and thence from day to day until the case is disposed of, and then to abide by the judgment of the said court, and such bond, if forfeited, may be prosecuted by the said board.

Form of conviction.

A. The convictions in prosecutions under this act shall be in the following similar form:

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

Be it remembered that on this,.....day of....., at....., in said county, C. D., defendant, was by (the District Court of the city of.....or the Court of Common Pleas of the county of....., or as the case may be), convicted of violating the ....., section of 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, in a summary proceeding at the suit of the State Board of Medical Examiners of New Jersey upon a complaint made by....., and further, that the witnesses in said proceeding, who testified for the plaintiff were (name them), and the witness who testified for the defendant were (name them).

Wherefore, the said court doth hereby give judgment that the plaintiff recover of the defendant.....dollars, penalty, and.....dollars, costs of this proceeding.

Form of commitment.

B. The conviction shall be signed by the judge of the District Court or Court of Common Pleas before whom the conviction is had. In case the defendant is committed to jail in default of payment of the penalty, a commitment in the following form shall be added, beneath the judge's signature, to the conviction:

"And the said C. D. neglecting and refusing to pay the amount of the penalty above mentioned, with costs, it is hereby ordered that the said C. D. be, and he hereby is committed to the common jail of the county of.....for the period of.....days, unless the said penalty and costs are sooner paid." This commitment shall also be signed by the judge, and in case of

commitment of any defendant to jail, the conviction and commitment shall be signed in duplicate, and one of the duplicate copies shall serve the purposes of a warrant of commitment.

C. In case any person shall, after conviction of any violation of this act, be again convicted of another violation of this act or of continuing the violation for which he was previously convicted, he shall be liable to a penalty of five hundred dollars for each such violation or continuation, to be sued for and recovered in the manner above set forth. In case any defendant against whom judgment has been recovered for a penalty of five hundred dollars shall fail or neglect to forthwith pay the amount of said penalty, the court shall commit him to jail in the manner above set forth, for any number of days not exceeding two hundred days. Any penalty recovered for any violation of this act shall be paid to the said board, who shall pay one-half thereof to any incorporated medical society procuring the evidence upon which the said defendant was convicted. The other half shall be applied by the said board to the same purposes as other funds of the board collected in accordance with the provisions of this act. In case any such proceeding is brought in any Court of Common Pleas, the trial thereof shall proceed in a summary manner, without a jury, as above set forth, immediately upon the arrest under warrant of the defendant, or on the return day of the summons, or on any day to which the judge of said court shall continue the said trial, either during the terms of said court or in vacation.

D. The clerk of any District Court or of any Court of Common Pleas may sign and seal any process required to be issued under this act, except a warrant of commitment. The costs recoverable in any such proceeding shall be the same as costs taxed in actions in said courts, and shall be recovered by the said board in the event of the conviction of the defendant. Any judgment recovered for a penalty under the provisions of this act in any District Court may be docketed in the same manner as judgments in said court are docketed under the provisions of an act entitled, "An act concerning District Courts," approved June fourteenth, one

Penalty for other convictions.

Commitment for not paying penalty.

Recovery of penalty.

Recovery of costs.

Judgment docketed.

Execution  
may issue.

thousand eight hundred and ninety-eight, and the acts amendatory thereof and supplementary thereto. Execution may issue for the collection of any judgment obtained under this act against the goods and chattels and body of the defendant without any order first obtained for such purpose.

4. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 222.

A Supplement to an act entitled "An act concerning District Courts (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

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

Salary of  
judge in cer-  
tain cities.

1. In any city in this State having a population of more than one hundred thousand in which there is now established a District Court, any such city being located in a county having a population between one hundred and twenty-five and one hundred and seventy-five thousand, said District Court being the only court within said county, the salary of the judge of such court shall be the sum of four thousand dollars.

2. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 223.

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

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

1. Said act be and the same is hereby amended to read as follows: Act amended.

1. In each county of this State, having a population exceeding two hundred thousand inhabitants and under three hundred and fifty thousand inhabitants, the court attendants or constables engaged in attending the Circuit Court, Court of Oyer and Terminer, Court of Common Pleas, and General Quarter Sessions of the Peace, shall receive and be paid in lieu of all fees, mileage or other allowances heretofore allowed, an annual salary of twelve hundred dollars per annum for the first year of service, thirteen hundred dollars for the second year of service, fourteen hundred dollars per annum for the third year of service, fifteen hundred dollars per annum for the fourth year of service; sixteen hundred dollars per annum for the fifth year of service, seventeen hundred dollars for the sixth year of service, eighteen hundred dollars for the seventh year of service, nineteen hundred dollars for the eighth year of service, two thousand dollars for the ninth year of service and for each Compensation of constables attending court.

- succeeding year of service, and such compensation shall be paid monthly by the collector of such counties; *provided*, that this act shall not be construed as reducing the annual compensation of any constable or constables or court attendants now engaged in any court affected by the terms of this act.
2. In all cases where any court attendant or constable has already been serving, the time served shall be considered in fixing the salary to be paid to each court attendant or constable respectively.
3. All acts and parts of acts inconsistent herewith are hereby repealed.
- Approved April 8, 1921.

Proviso.

Period of service.

Repealer.

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 CHAPTER 224.

An Act to regulate the practice of professional engineers and land surveyors.

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

Civil engineers licensed.

1. In order to safeguard life, health and property any person practicing or offering to practice professional engineering or land surveying in this State, shall hereafter be required to submit evidence that he or she is qualified so to practice and shall be licensed as hereinafter provided and from and after two years after the date upon which this act becomes effective, it shall be unlawful for any person to practice or to offer to practice professional engineering or land surveying in this State, unless such person has been duly licensed under the provisions of this act.

Exception.

Nothing in this act shall be construed as requiring licensing for the purpose of practicing professional engineering or land surveying by any person, firm or corporation upon property owned or leased by such person, firm or corporation, unless the same involves the public safety or health.

2. To carry out the provisions of this act, there is hereby created an examining board for the licensing of professional engineers and land surveyors, which board shall consist of five (5) members who shall be appointed by the Governor of the State of New Jersey, with the advice and consent of the Senate, within sixty days after the passage of this act, or as soon as practicable thereafter. The first members of said board shall be appointed to serve for the following terms: One member for one (1) year, one member for two (2) years, one member for three (3) years, one member for four (4) years and one member for five (5) years. On the expiration of each of said terms, the term of office of each newly appointed or reappointed member shall be for a period of five (5) years. Each member shall hold office after the expiration of his term until his successor shall be duly appointed and qualified. The term of office of the members of said board shall commence on the first day of May, nineteen hundred and twenty-one. Vacancies in the membership of the board, however created, shall be filled by appointment of the Governor with the advice and consent of the Senate, for the unexpired term.

Board appointed by Governor.

Terms.

Vacancies.

3. Said board, when so appointed, shall be designated and known as the "State Board of Professional Engineers and Land Surveyors."

Official name.

No person shall be appointed upon said board who is not a citizen of the United States and a resident of this State at the time of his appointment, and who has not been engaged in the practice of professional engineering or land surveying at least ten (10) years, and who shall not have been in responsible charge of professional engineering or land surveying for at least five (5) years.

Qualifications of members.

After this act shall become effective, no person shall be appointed as member of said examining board who shall not be a licensed professional engineer under the provisions of this act.

Future members.

The members of said examining board shall receive no compensation for their services, but shall be reimbursed for all necessary travelling, hotel, incidental and clerical expenses incurred in carrying out the provisions of this act; *provided, however,* that the total of such

Expenses met.

Proviso.

expenses shall not exceed the total receipts from fees during any fiscal year.

Oath of office.

4. Each member of the examining board before entering upon the duties of his office, shall subscribe to an official oath of office as provided by an act entitled "An act prescribing the official oaths of all public officers," approved April twentieth, one thousand nine hundred and twenty, which oath shall be filed in the office of the Secretary of State.

Legal adviser,  
etc.

The examining board shall be entitled to the services of the Attorney General in connection with the affairs of the board and the board shall have power to compel the attendance of witnesses, and any member thereof may administer oaths and the board may take testimony and proofs concerning all matters within its jurisdiction.

Seal.

The examining board shall adopt and have an official seal and shall make all by-laws and rules, not inconsistent with law, necessary or desirable in performing its duty.

Organization.

5. Said examining board shall within thirty days after its members are appointed, meet and organize by electing a president, vice-president and a secretary and treasurer, who shall hold their respective offices for one (1) year from the date of election and until their successors have been elected and have qualified.

Treasurer  
bonded.

The treasurer shall give bond for the faithful performance of his duties, in such sum as the board shall determine.

Secretary.

Salary.

The secretary elected by the board need not be a member of said board and shall receive such salary, not exceeding five hundred dollars per year, as said board shall determine, subject, however, to the provisions of section three hereof.

Meetings.

Said board shall meet at least semi-annually and special meetings may be held at such times as the by-laws of the board may provide.

Notice of all meetings shall be given in the manner provided by the by-laws.

A quorum of the examining board shall consist of three (3) members.

Duties of  
treasurer.

6. The treasurer of the board shall receive and account for all moneys derived from the operation of

this act and shall pay therefrom, upon resolution of the board, all expenses incurred by the said board, including the salary of the secretary, in carrying out the provisions of this act.

An itemized account of all receipts and expenditures of the board shall be kept by the said treasurer and a detailed report thereof, verified by the affidavit of said treasurer, shall be filed with the Secretary of State within twenty days after the close of the board's fiscal year. Accounts and reports.

The Secretary of State shall be paid such fees for filing the report as are now paid for filing similar papers in his office. All surplus in the hands of the board at the end of the fiscal year shall be paid to the State Treasurer. Filing fee.

7. The examining board shall keep a record of its proceedings and a roster of all applicants for license, showing for each the date of application, name, age, education and other qualifications, place of business and place of residence, whether or not an examination was required and whether the applicant was rejected or a certificate of license granted, and the date of such action. Records and roster.

The books and register of the examining board shall be prima facie evidence of all matters recorded therein. The roster showing the names and places of business and of residences of all licensed professional engineers and land surveyors shall be prepared by the secretary of the board during the month of June of each year; such roster shall be printed and a copy mailed to each licensee and a copy mailed to the clerk of each city, town, township, village, borough, county and other municipal corporation of this State, which roster shall be placed on file in the office of said clerk. Records in evidence.

8. The examining board, upon application therefor, on prescribed forms, and upon the payment of a fee of twenty-five (\$25) dollars, except in cases where the applicant applies for license to practice both professional engineering and land surveying, when the fee shall be thirty-five (\$35) dollars, and except as hereinafter provided, shall under the following conditions, issue a certificate of license: License fees.

- Satisfactory evidence. (a) To any person who submits evidence satisfactory to the board, that he or she is fully qualified to practice professional engineering or land surveying.
- Holds license. (b) To any person who holds a like unexpired certificate of license issued to him or her by proper authority, in the District of Columbia or in any State or Territory of the United States in which the requirements for the license or registration of professional engineers or land surveyors are of a standard satisfactory to the board; *provided, however*, that no person shall be eligible for license as a professional engineer who is under twenty-one years of age or who is not of good character and repute or who has not been actively engaged for four (4) or more years in the practice of professional engineering of a grade satisfactory to the examining Board and who shall not have had responsible charge of work as assistant to a professional engineer for at least one (1) year.
- Proviso. *And provided, further*, that no person shall be eligible for license as a land surveyor who is under twenty-one years of age and who is not a citizen of the United States or who has not made declaration of his or her intention to become a citizen of the United States, or who does not speak and write the English language or who is not of good character and repute and who has not been actively engaged for three (3) or more years in the practice of land surveying of a grade satisfactory to the board; *provided, however*, each two (2) years of study satisfactorily completed, of engineering in a school of engineering of standing satisfactory to the board, shall be considered as equivalent to one (1) year of such active practice.
- Proviso. Unless disqualifying evidence be before the board, the following facts established in the application shall be regarded as prima facie "evidence satisfactory to the board" that the applicant has fully qualified to practice professional engineering or land surveying:
- Facts of evidence. I. Six or more years of active engagement in professional engineering work, one of which shall have been in responsible charge of work, or in the case of applicants for a license as land surveyors, four or more years
- Six years' experience.

of active engagement in land surveying work of a character satisfactory to the board.

II. Graduation after a course of not less than four (4) years in engineering, from a school or college approved by the board as of satisfactory standing and an additional four (4) years of active engagement in professional engineering, one year of which shall have been in responsible charge of work, or two (2) years of active engagement in professional land surveying satisfactory to the board.

Academic qualifications.

Applicants for license, in cases where the evidence originally presented in the application does not appear to the board to be conclusive, or to warrant the issuance of a certificate, may present further evidence for the consideration of the board which may include the results of a required examination.

Further evidence may be required.

In determining the qualifications of applicants for license as professional engineers or land surveyors, character shall be given predominant weight and a majority vote of the members of the board shall be required to pass upon the issuance of a license to any applicant.

Character of applicant.

9. The said board after examination or receiving other evidence of qualifications as provided by this act, shall issue a license to the applicant therefor, certifying said applicant to have passed such examination or as being otherwise qualified to practice professional engineering and land surveying.

Issue of license.

Any person receiving such license shall cause the same to be recorded in the office of the Secretary of State, in a book to be kept for that purpose, and shall pay such recording fee as may be provided by law for the recording of similar documents.

License recorded.

10. Such certificate of license shall expire on the thirtieth day of April following its issuance or renewal and shall become invalid on that day unless renewed.

Expiration of license.

It shall be the duty of the secretary of the board to notify by mail every person licensed hereunder, of the date of the expiration of his or her certificate and the amount of the fee required for its renewal for one (1) year, and such notice shall be mailed at least one (1) month in advance of the date of the expiration of said certificate.

Notice of expiration.

Renewal fee.	Renewal may be affected at any time during the month of April by payment of a fee of one (\$1) dollar
Failure to renew.	The failure on the part of any licensee to renew his certificate annually in the month of April, as required above, shall not deprive such person of the right of renewal thereafter, but the fee to be paid for the renewal of a certificate after the month of April shall be increased ten per centum (10%) for each month or a fraction of a month that payment for renewal is delayed; <i>provided, however,</i> that the maximum fee for a delayed renewal shall not exceed the sum of two (\$2) dollars.
Proviso.	
Revocation of license.	11. The examining board shall have the power to revoke the certificate of license of any professional engineer or land surveyor licensed hereunder who is found guilty by said board of any fraud or deceit in obtaining a certificate of license, or of gross negligence, incompetency or misconduct in the practice of engineering or land surveying.
Charges of fraud, etc.	An person may prefer charges of such fraud, deceit, negligence, incompetency or misconduct against any professional engineer or land surveyor hereunder.
Preferring Charges.	Such charges shall be in writing and sworn to by the complainant and submitted to the board. Such charges unless dismissed without hearing by the board as unfounded or trivial, shall be heard and determined by the board within three (3) months after the date on which they are preferred. The time and place for such hearing shall be fixed by the board. A copy of the charges, together with a notice of the time and place of hearing shall be personally served on the accused at least thirty (30) days before they day fixed for the hearing, and in the event that such service cannot be effected thirty (30) days before such hearing, then the date of hearing and determination shall be postponed as may be necessary to permit the carrying out of this condition. At said hearing the accused shall have the right to appear personally and by counsel and to cross examine witnesses against him or her and to produce evidence and witnesses in his or her defense. If after said hearing three or more members of the board vote in favor of finding the accused guilty of any fraud or
Service of copy of charges.	
Hearing.	
Determination.	

deceit in obtaining a certificate, or of gross negligence, incompetency or misconduct in the practice of professional engineering or land surveying, the board shall revoke the certificate of license of the accused. The board may under circumstances which to it may seem proper, reissue a certificate of license to any person whose certificate has been revoked. The secretary of the board shall within thirty (30) days notify the clerk of each city, town, township, village, borough and other municipal corporation of this State of its revocation of a certificate of license or of the reissuance of a revoked certificate of license.

Reissue of license.

Municipal clerks notified of revocation.

A new certificate of license to replace any certificate lost, destroyed or mutilated, may be issued subject to the rules and regulations of the board. A charge of ten (\$10) dollars shall be made for such reissuance.

Fee for issuing lost certificates.

12. The issuance of a certificate of license by the board shall be evidence that the person named therein is entitled to all the rights and privileges of a licensed professional engineer or land surveyor while the said certificate remains unrevoked or unexpired.

Effect of license.

Each licensee hereunder may upon being licensed obtain a seal of a design authorized by the board bearing the licensee's name and the words "licensed professional engineer" or "licensed land surveyor", or both. Plans, specifications, plats and reports issued by a licensee may be stamped with said seal during the life of licensee's certificate, but it shall be unlawful for any one to stamp or seal any documents with said seal after the certificate of the licensee named thereon has expired or has been revoked unless said certificate has been renewed or reissued.

Plans, etc., stamped by licensee.

13. Any person who after this act has been in effect two (2) years, is not legally authorized to practice professional engineering or land surveying in this State according to the provisions of this act, and shall so practice or offer so to practice in this State, except as provided in section fourteen of this act, and any person presenting or attempting to file as his own the certificate of license of another, or who shall give false or forged evidence of any kind to the board, or to any member thereof, in obtaining a certificate of license, or who shall

Penalty for acting without license.

falsely impersonate another licensed practitioner of like or different name, or who shall use or attempt to use an expired certificate of license or an unexpired and revoked certificate of license, shall be deemed guilty of a misdemeanor and punishable upon conviction thereof by a fine of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars or by imprisonment for a term not exceeding three months, or by both fine and imprisonment.

Disposition  
of fines.

All fines collected for the violation of any of the provisions of this act shall be paid to the treasurer of this board to be held, disposed and accounted for by him as herein directed, and it shall be the duty of the county collector of each county, upon receipt by him of any such fine, to forthwith pay over same to the treasurer of said board; said board or any member or officer thereof may prefer a complaint for violation of this law before any court, tribunal or magistrate having jurisdiction and may by its officers, counsel and agents, aid in presenting the law or facts before said court, tribunal or magistrate in any proceeding taken thereon, and it shall be the duty of the prosecutor of the pleas of the counties in this State to prosecute all violations of the provisions of this act.

Preferring  
complaints.

Exemptions:

14. The following shall be exempted from the provisions of this act:

Non-residents;

(1) Practice as professional engineer or land surveyor in this State by any person not a resident of this State and having no established place of business in this State, when such practice does not aggregate more than thirty days in any calendar year; *provided*, that said person is legally qualified for such professional service in the State or country of his residence.

Proviso.

Not estab-  
lished;

(2) Practice as a professional engineer or land surveyor in this State by any person not a resident of and having no established place of business in this State, or any person who has resided in this State for less than three months; *provided, however*, such person shall have filed an application for license as a professional engineer or land surveyor and shall have paid the fee provided for in section eight of this act. Such exemp-

Proviso.

tion shall continue for only such time as the board requires to act upon the said application for license.

(3) Engaging in professional engineering or land surveying as an employee or pupil of, or under the direction of a licensed professional engineer or a licensed land surveyor, or as an employee or pupil of, or under the direction of a professional engineer or land surveyor authorized by paragraphs two and three of this section; *provided*, that said practice shall not include responsible charge of design or supervision as principal.

(4) Practice of professional engineering or land surveying solely as an officer or as an employee of the United States.

(5) Practice of professional engineering or land surveying solely as an employee of this State or any political subdivision thereof at the time this act becomes effective and thereafter only until the expiration of the then existing term of office of such employee.

(6) The practice of engineering or land surveying solely as an officer or employee of a corporation engaged in Interstate Commerce as defined in the act to regulate commerce, approved February fourth, one thousand eight hundred and eighty-seven, and as amended.

15. Two years after the date upon which this act becomes effective, no county, city, town, township, village, borough or other municipal corporations or other political subdivisions in the State shall engage in the construction or maintenance of any public work involving professional engineering or land surveying for which plans, specifications and estimates have not been made by, and the construction and maintenance supervised by a licensed professional engineer or land surveyor; *provided*, that nothing in this section shall be held to apply to such public work wherein the contemplated expenditure for the completed project does not exceed two thousand (\$2,000) dollars.

16. Land surveying as covered by this act refers to surveys for the determination of areas or for the establishment or re-establishment of land boundaries and the subdivision and platting of land. Nothing in this act shall be construed as prohibiting licensed professional

Pupils;

Proviso.

U. S. employees;

Official engineers of State, etc.

Interstate commerce employees.

When official surveyors licensed.

Proviso.

Meaning of land surveying.

engineers from making land surveys where such surveys are essential to engineering projects, nor as prohibiting any person from doing land surveying; *provided* he does not hold himself out to be a licensed land surveyor, and accept or receive compensation for such service.

Professional engineering.

17. Professional engineering as covered by this act means the practice of the professional engineer who through technical knowledge gained by education and experience in one or more branches of that profession initiates, investigates, plans and directs the application of the resources of nature to the use and convenience of man; and who represents himself or herself to be such an engineer, either through the use of the term engineer with or without qualifying adjectives, or through the use of some other title implying that he or she is such an engineer.

Repealer.

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

Approved April 8, 1921.

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CHAPTER 225.

A Supplement to the act entitled "An act concerning corporations (Revision of 1896)."

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

Time for creditors to present claims.

1. Whenever a corporation of this State has been dissolved and is in process of being wound up either by a receiver or receivers appointed by the Court of Chancery or by the directors acting as trustees on dissolution under the provisions of the act to which this is a supplement, it shall be lawful for the Court of Chancery upon the petition of such receiver or receivers or of such trustees on dissolution to make an order fixing a time within which all creditors or others having claims

or demands against the said corporation shall bring in the same. Said order shall prescribe the notice to be given of such requirement, which may be by publication of the order, or of notice thereof, in one or more newspapers printed and circulating in this State, or in one or more newspapers printed and circulating in another State or States, or by mailing a copy of such order or notice to such creditors or others having demands or claims against the said corporation as are known to the receiver or receivers or trustees, or by any one or more of such methods. Proof of the giving of such notice shall be made by an affidavit to be filed in the office of the clerk of said court. Upon the filing of such proof and upon the expiration of the time limited by such order, all creditors or others having demands or claims against the said corporation who have not brought in their claims or demands within the time so limited shall be forever barred from any action therefor or on account thereof against the trustees on dissolution, or the receiver or receivers, and against the said corporation.

2. All claims or demands so presented shall be in writing specifying the amount claimed and the particulars of the claim, and shall be verified under oath or the bringing in of the same shall be of no effect. If the receiver or receivers or the trustees on dissolution to whom any such claim or demand is presented shall dispute the same or any part thereof and shall give notice in writing to the creditor or claimant that such claim or any part thereof is disputed, such creditor or claimant shall bring suit therefor within sixty days from the time of giving such notice or such claim or demand shall be forever barred as aforesaid. Said notice may be served either personally or by mailing the same in a duly stamped envelope addressed to the creditor or claimant at his last-known post-office address. An affidavit of service of such notice shall be filed with the clerk of said court and shall be prima facie evidence thereof.

3. This act shall take effect immediately.  
Approved April 8, 1921.

## CHAPTER 226.

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

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

Ten years' record notice to all concerned.

Copy in evidence.

Proviso.

1. When any deed or conveyance or instrument of the nature or description set forth in the twenty-first section of the act to which this act is a supplement shall, for a period of ten years or more, have stood on record in any of the lawful books of record in this State appropriate for such deed or instrument, the record of such deed or instrument after the passage of this act shall be and become notice to all persons thereof; and such deed or instrument, the said record and certified copies thereof, shall be received in evidence in any court, and shall be as effectual as if the original deed had been produced and proved, notwithstanding any informality, imperfection, uncertainty or defect in the acknowledgment or proof of such deed or instrument, or of the certificate thereof, or any informality, imperfection, uncertainty or defect in or omission to attach a certificate that the officer before whom such acknowledgment or proof was made was at the time of the taking of such proof or acknowledgment authorized by the laws of the State, Territory or District to take acknowledgments and proofs; *provided, however,* that the officer taking such acknowledgment shall have certified that the person or persons acknowledging such deed or other instrument aforesaid were known to him to be the person or persons named therein, and who executed the same, or that he was satisfied that such person or persons was or were the grantors or makers in such deed or other instrument named, and that the person or per-

sons so executing such deed or other instrument acknowledged to such officer that he, she or they executed the same.

2. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 227.

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

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

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

Section 2  
amended.

2. The general supervision and control of public instruction shall be vested in a Senate Board of Education which shall consist of eight members, not more than four of whom shall be members of the same political party, and not more than one of whom shall be a resident of any one county. Said members shall be male citizens who have resided within the State for not less than five years immediately preceding the date of their appointment. They shall be appointed by the Governor by and with the advice and consent of the Senate for the following terms, to commence on the first day of July, one thousand nine hundred and eleven: One for one year, one for two years, one for three years, one for four years, one for five years, one for six years, one for seven years, and one for eight years; annually thereafter one member shall be appointed by the Gover-

State Board  
of Education.

Qualifications.

Terms.

- Proviso. nor for a term of eight years; *provided*, that after January first, one thousand nine hundred and twenty-one, said State Board of Education shall consist of ten members, not less than two of whom shall be women, not more than five of whom shall be members of the same political party, and not more than one of whom shall be residents of any one county. Said members shall be citizens who have resided within the State for not less than five years immediately preceding the date of their appointment. The two new members, in addition to the eight already provided, shall be appointed by the Governor by and with the advice and consent of the Senate for terms of eight years. Vacancies shall be filled for the unexpired term.
- Woman added to board.
- Vacancies.
- Room. A suitable room in the State House at Trenton shall be provided for the use of the board.
- Meetings. Said board shall meet in the State House in Trenton at such times as their rules may prescribe in each and every month, and at such times and places within the State as in its judgment may be necessary. Its meetings, as well as those of every board of education in the State, shall be public and shall commence not later than eight P. M.
- Powers: In addition to the powers now conferred by law upon the State Board of Education it shall
- System of bookkeeping; I. Prescribe a uniform and simple system of bookkeeping for use in all school districts, and compel all school districts to use the same.
- Supervising principal; II. Appoint, upon application, a supervisor principal over the schools in two or more districts whenever in its opinion it is advisable so to do, and apportion the expense equitably among the districts.
- Approval of secondary schools; III. Withhold or withdraw its approval of any secondary school whenever in its opinion its academic work, location or enrollment and per capita cost of maintenance shall not warrant its establishment or continuance.
- Fix rates for pupils outside district; IV. Fix rates to be paid by a district for the tuition of children sent from it to the schools of other districts, when the districts cannot agree among themselves as to the proper rate, and require any district having the

necessary accommodations to receive pupils from other districts at rates agreed upon or which it may fix in the event of disagreement.

V. Compel the production at such time and place within the State as it may designate of any and all books, papers and vouchers in any way relating to schools or to the receipt or disbursement of school moneys; compel the attendance before it or before any of its committees or before the Commissioner of Education or one of his assistants or before the business manager at such time and place as it may designate of any member of a board of education or of any person in the employ of a board of education, and suspend from office any person refusing to attend or to submit such books, papers and vouchers as he may have been directed to produce.

Production  
of records  
and witnesses;

VI. Issue subpoenas signed by its president and secretary compelling the attendance of witnesses and the production of books and papers in any part of the State before it or before any of its committees or before the Commissioner of Education or one of his assistants or before the business manager.

Subpoenas;

VII. Conduct all school and other building operations coming within its direct supervision, and all construction or repair work allied thereto within the appropriations specifically provided for the State Board of Education in each case for said work. The State Board of Education may employ, with the approval of the State House Commission, such technical assistants as each building operation necessitates, and the Treasurer of the State may pay on the warrant of the Comptroller for the services of legally registered architects, engineers and other technical assistants to prepare plans, specifications and drawings and for inspectors from the specific appropriations for the building or buildings or repairs they are retained to plan or inspect, at a rate which shall not be in excess of the schedule of minimum charges adopted by the American Institute of Architects, or by the American Institute of Electrical Engineers, or by the American Society of Mechanical Engineers, or by

Conduct  
school building  
operations;

Technical  
assistants;

Architects  
selected by  
competition.

the American Society of Civil Engineers. The State Board of Education may select by competition from among the architects legally registered in the State, an architect to design any specific building or structure. The designs of the competitors shall be judged by the State Board of Education. Should the State Board of Education discover among the competitors any whose designs indicate his ability to solve the problems acceptably, it shall certify its first choice and the competitor so certified shall be appointed by the State Board of Education to design the specific building or structure competed for, *provided*, said building or structure is a State School or other State building coming within the direct supervision of the State Board of Education.

Proviso.

3. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 228.

A Supplement to an act entitled "An act concerning fees and costs and the taxation thereof in courts of law of this State," approved May second, one thousand nine hundred and eleven.

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

Allowance  
on entry of  
judgment.  
Allowance  
for costs.

1. Upon the entry of judgment final by default in all actions fifteen dollars shall be allowed the moving party.

2. Where on a trial of an issue of fact the judge declares a mistrial and allows costs to either party, fifteen dollars shall be allowed including disbursements. No costs shall be taxed on mistrial without an order of court.

3. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 229.

An Act to amend an act entitled "A supplement to an act entitled 'An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule for compensation, and regulating procedure for the determination of liability and compensation thereunder,'" approved April fourth, one thousand nine hundred and eleven; approved February twenty-eighth, one thousand nine hundred and eighteen.

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

1. Paragraph five of said act is hereby amended to read as follows:

Section 5  
amended.

5. Every claimant for compensation under the act to which this act is a supplement, or its supplements or amendments, shall, unless a settlement is effected or a petition filed under the provisions of section four, file a petition in duplicate with the secretary of said bureau in his office, at the State House, in Trenton, within one year after the date on which the accident occurred, or in case an agreement for compensation has been made between such employer and such claimant, then within one year after the failure of the employer to make payment pursuant to the terms of such agreement; or in case a part of the compensation has been paid by such employer, then within one year after the last payment of compensation. A payment, or agreement to pay by the insurance carrier, shall for the purpose of this section be deemed a payment or agreement by the employer. The petition shall state the respective addresses of the petitioner and of the defendant, the facts relating to employment at the time of injury, the injury in its extent and character, the amount of wages received at

Claimant  
to file petition  
within a year.

What petition  
to show.

the time of injury, the knowledge of the employer or notice of the occurrence of said accident, and such other facts as may be necessary and proper for the information of the said bureau, and shall state the matter or matters in dispute and the contention of the petitioner with reference thereto. This petition shall be verified by the oath or affirmation of the petitioner. Proceedings on behalf of an infant shall be instituted and executed by a guardian, guardian ad litem, or next friend, and payment, if any, shall be made to such guardian, guardian ad litem, or next friend. Said bureau shall prepare and print forms of petitions and shall furnish assistance to claimants in the preparation of such petitions, when requested so to do.

In case of minors.

Section 6 amended.

2. Paragraph six of said act is hereby amended to read as follows:

Copy of petition served on employer.

6. Within five days after the filing of such petition or as soon thereafter as is practicable, the secretary shall cause a copy of such petition to be served upon such employer by a process server of said bureau in the manner now provided by law for the service of summons. Annexed to said copy so served shall be a notice directing the employer to file his answer thereto with the secretary of said bureau within ten days after the service of such notice, unless the bureau for good cause shall grant further time, which answer shall give the address of the respondent, and admit or deny the substantial averments of the petition, and shall state the contention of the defendant with reference to the matters in dispute as disclosed by the petition. The answer shall be verified by the oath or affirmation of the respondent, and shall be filed in duplicate.

Answer required.

Section 10 amended.

3. Paragraph ten of said act is hereby amended to read as follows:

Procedure.

10. The procedure for the determination of claims by said bureau, except as herein otherwise provided, shall be conducted in the manner provided by this act and the act to which this act is a supplement, and its supplements and amendments. The Commissioner of Labor, each deputy commissioner and each referee is hereby authorized to hear and determine the matter in dispute

Power to modify award.

in a summary manner, and each shall have power under the act to which this act is a supplement, to modify any award of compensation and to provide for the commutation of any such award.

4. Paragraph eleven of said act is hereby amended to read as follows:

Section 11  
amended.

11. A statement containing the date and place of hearing, together with the judgment of the commissioner, deputy commissioner or referee, shall be legibly written in ink or typewritten and filed in the office of the secretary at Trenton, by the officer hearing such cause, which statement, together with the petition and answer, shall constitute the record of the cause. A copy of the judgment of the commissioner, deputy commissioner or referee, if such judgment results in an award to the petitioner, shall, as soon as practicable after the same is rendered, be filed in the office of the clerk of the county in which the hearing was held, and when so filed, shall have the same effect and may be collected and docketed in the same manner as judgments rendered in causes tried in the Court of Common Pleas. The employer may once every month file receipt of payment, verified by affidavit that the receipts are accurate and true, with the clerk of the court, which shall be entered in satisfaction of the judgment to the extent of such payments. The official conducting the hearing shall, within fifteen days after the rendering of the judgment, mail to each of the parties a statement of the substance of such judgment. The judgment of the said bureau shall be final and conclusive between the parties and shall bar any subsequent action or proceeding, unless reopened by the said bureau or appealed as hereinafter provided.

Statement  
filed.

Copy of  
judgment  
filed with  
county clerk.

Receipts  
filed.

Summary  
of judgment  
mailed.

Judgment  
bar to other  
action.

5. Paragraph twelve of said act is hereby amended to read as follows:

Section 12  
amended.

12. The secretary of said bureau shall keep a docket in which shall be entered the title of each cause, the date of the determination thereof, the date of appeal, if any, and the date on which the record in case of appeal was transmitted to the appellant. The secretary shall also file the record of each case left with him by the

Docket.

Records kept.

official conducting the hearing, and shall keep a card index of such record in such manner as to afford ready reference thereto. Such records shall be open to the inspection of the public.

Section 13  
amended.

6. Paragraph thirteen of said act is hereby amended to read as follows:

Power of  
court.

13. The Commissioner of Labor, each deputy commissioner and each of the referees shall have the same power as the Court of Common Pleas to issue subpoenas to compel the attendance of witnesses and the production of books and papers. The fees for the attendance of witnesses shall be such as are now provided for the attendance of witnesses in other civil cases, and shall be paid by the party arranging for the attendance of such witnesses. Such subpoenas shall be authenticated by the seal of the Department of Labor, and either party to any such proceeding may, without charge, secure subpoenas from the Commissioner of Labor, a deputy commissioner or any referee. Misconduct on the part of any person attending a hearing, or the failure of any witness, when duly subpoenaed, to attend or give testimony shall be punishable by the Court of Common Pleas in the same manner as such failure is punishable by such court in a case therein pending.

Witness fees.

Subpoenas.

Section 19  
amended.

7. Paragraph nineteen of said act is hereby amended to read as follows:

Right of  
appeal.

19. Either party may appeal from the judgment of said commissioner, deputy commissioner or referee, to the Court of Common Pleas of the county in which hearing was held, by filing with the secretary of said bureau, and with the clerk of the county where such hearing was held, a notice of appeal. Such notice shall be filed within thirty days after such judgment has been rendered and shall briefly describe such judgment and state the intention of the party to appeal therefrom.

Notice.

Notice a stay.

The filing of such notice shall stay the execution of the judgment until the determination or dismissal of said appeal. The appellant shall, within fifteen days after the filing of a notice of appeal, send to the clerk of the Court of Common Pleas of the county in which such hearing was held, a transcript of the record and testimony in said cause, which transcript shall be prepared

Transcript  
of record.

by said appellant and submitted to the secretary of the bureau for certification. Within five days after the filing of said transcript, the judge of the Court of Common Pleas, upon the application of the appellant, shall fix a time and place for the hearing of said appeal, at least ten days' notice of which shall be served upon the respondent by the appellant. The trial of such appeal shall be based exclusively on the transcript of the record and testimony, and at the time fixed for the hearing, argument may be presented by each side, to the said judge, who shall in a summary manner decide the merits of the controversy, and the judgment of the Court of Common Pleas, on any such appeal shall be conclusive and binding. This determination shall be filed in writing with the clerk of the Common Pleas Court, and judgment shall be entered thereon in the same manner as in causes tried in the Court of Common Pleas. Subsequent proceedings thereon shall only be for the recovery of moneys thereby determined to be due; *provided*, that nothing herein contained shall be construed as limiting the jurisdiction of the Supreme Court to review questions of law and fact by certiorari. Costs may be awarded by said judge in his discretion, and when so awarded the same costs shall be allowed, taxed and collected as are allowed, taxed and collected for like services in the Common Pleas Courts. In case the respondent in said appeal is unable to pay counsel, the judge of the Court of Common Pleas shall assign counsel to represent such respondent. Any such appeal may be dismissed by the judge of the Court of Common Pleas if the transcript of the record and testimony is not transmitted, or if the appeal is not prosecuted in accordance with the provisions of this act.

8. Said act is hereby amended by the addition of a paragraph to be numbered twenty-three:

23. Any referee, who is a counselor-at-law duly admitted to practice by the Supreme Court of the State of New Jersey, and who has served as a referee in said bureau for not less than two years, may at the discretion of the Commissioner of Labor as chairman of the bureau, be certified to the Civil Service Commission as

Time and place for hearing appeal.

Trial.

Determination.

Proviso.

Costs.

Counsel may be assigned.

Dismissal of appeal.

Section 23 added.

Deputy commissioner.

eligible for examination for the position of deputy commissioner of compensation, and upon successfully passing such examination, he may be advanced to said office, as a member of the Workmen's Compensation Board, which shall be composed of the Commissioner of Labor, the deputy commissioners of compensation now holding office under the provisions of paragraphs one and two of this act, and any additional deputy commissioner appointed under this paragraph.

Compensation board.

Repealer.

Proviso.

9. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect on the fourth of July, next following its approval; *provided, however,* that any case in which a formal hearing has been had prior to the taking effect of this act, may be appealed to the Common Pleas Court as heretofore provided.

Approved April 8, 1921.

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#### CHAPTER 230.

An Act to amend an act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven.

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

Section 18 amended.

In case of dispute question submitted to court.

1. Paragraph eighteen of the act referred to in the title of this act is hereby amended to read as follows:

18. In case of a dispute over or failure to agree upon a claim for compensation between employer and employee, or the dependents of the employee, either party

may submit the claim, both as to the questions of fact, the nature and effect of the injuries, and the amount of compensation therefor according to the schedule herein provided, to the Workmen's Compensation Bureau, as prescribed in paragraph five of the supplement to this act, approved February twenty-eighth, one thousand nine hundred and eighteen, as chapter 149.

2. Paragraph twenty of said act is hereby amended to read as follows:

Section 20 amended.

20 (a). Procedure in case of dispute shall be in accordance with the provisions of a supplement to this act, approved February twenty-eighth, one thousand nine hundred and eighteen, as chapter 149.

Procedure in dispute.

(b) No agreement between the parties for a sum other than that which may be determined to be due by the commissioner, deputy commissioner or referee, or the judge of the Court of Common Pleas upon appeal shall operate as a bar to the determination of a controversy upon its merits, or to the award of a different sum, if it shall be determined by the said commissioner, deputy commissioner, referee or judge that the amount agreed upon is less or more than the injured employee or his dependents are properly entitled to receive.

Agreement not to affect determination.

3. Paragraph twenty-three of said act is hereby amended by the addition of a clause to be indicated by the letter (i).

Addition to section 23.

(i) To calculate the number of weeks and fraction thereof that compensation is payable for temporary disability; determine the number of calendar days of disability from and including as a full day the day that the employee is first unable to continue at work by reason of the accident, including also Saturdays, Sundays and holidays, up to the first working day that the employee is able to resume work and continue permanently thereat. Subtract from this number the waiting period and any days and fraction thereof the injured was able to work during this time, and divide the remainder by seven. The resulting whole number and sevenths will be the required period for which compensation is payable on account of temporary disability.

Determining period of disability.

Repealer.

4. All acts and parts of acts inconsistent herewith are herewith repealed, and this act shall take effect on the fourth day of July next following its passage and approval.

Approved April 8, 1921.

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CHAPTER 231.

A Supplement to an act entitled "An act concerning the charitable, hospital, relief, training, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State, which are supported in whole or in part from county, municipal or State funds," approved February twenty-eighth, one thousand nine hundred and eighteen.

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

Additional powers conferred on board of managers.

1. The board of managers having in charge the work of ameliorating the condition of the blind, as provided for in the act of which this act is a supplement, shall in addition thereto be possessed of the powers and charged with the duties in this act enumerated.

Application for relief.

2. Any person of either sex above the age of twenty-one years, who by reason of blindness, is unable to earn sufficient money to provide for the necessities of life, and who has no relative or other person legally responsible for his or her maintenance, and who, if not relieved, would become a public charge to the community, is a proper person to make application for the relief granted by this act not in excess of the sum of three hundred dollars in any one year. Any person making application under the terms of this act shall first have been a resident of this State for not less than five consecutive years immediately prior to the making of such application.

Amount.

Residence required.

3. No person shall be eligible to the relief granted by this act who is suffering from mental or physical infirmity, which, in itself, would make him or her a charge upon any other institution or agency of this State, and which has so incapacitated him or her, prior to the loss of sight, that such person was a public charge prior thereto; *and further providing*, no person shall be eligible to this relief while publicly soliciting alms in any part of this State. The term "publicly soliciting" shall be construed to mean the wearing, carrying or exhibiting of signs denoting blindness or the carrying of receptacles for the reception of alms, or the doing of same by proxy, or by begging from house to house. Who ineligible.
4. At least thirty days prior to action on any claim for relief hereunder the claimant shall file with the board having in charge the work of ameliorating the condition of blindness, a duly verified statement of facts sufficient to bring him or her within the provisions of this act. A list of claims and the evidence relating thereto shall be kept on file by such board, which record shall be a public record. No certificate for drawing money hereunder shall be granted until the board shall be satisfied from the evidence of at least two reputable residents of the county in which the applicant resides that they know the applicant to be in need of assistance under the provisions of this act, and that the applicant is possessed of residential qualifications which entitle him or her to the relief asked. Such evidence shall be in writing, subscribed to by such witnesses and hearings may be held on applications in the discretion of the board. If the board, having in charge the work of ameliorating the condition of the blind, is satisfied that the applicant is entitled to relief, under the provisions of this act, an order shall be made to that effect, and upon the approval of the same by the Commissioner of Institutions and Agencies, shall be paid from the funds appropriated for the aforesaid purpose. The relief granted pursuant to this act shall be in place of any and all other relief of a public nature. Proviso.
5. Any person receiving relief under this act shall be required, by the board of managers paying such relief, to make a return in service equal in value to the amount Statement filed by claimant.
- Satisfactory evidence produced.
- Sufficiency of application.
- Order for payment.
- Service rendered by beneficiary.

- paid him or her; *providing*, in the judgment of the board of managers that the applicant be physically or otherwise able to do such work. These services shall be of such nature that they will be within the power of said recipients to render and shall be credited at a rate fixed by the board of managers. In the event of refusal to comply with this condition the board of managers shall discontinue all relief.
6. In the event of two blind persons married, each being dependent and coming under the provisions of this act at the time this act first became effective then such persons shall each be permitted to file their application, but no person marrying another who is blind after the passage of this act, shall be beneficiary under this act, but in case both have been receiving relief up to the date of their marriage, only one approved by the board of managers may thereafter be continued as a person qualified for said relief.
7. No blind person shall be deemed a pauper by reason of receiving relief under this act.
8. In case of the removal of any recipient of the relief herein created, from one county to another in this State, the amount paid by each county shall be made proportionate to the length of residence in each county.
9. An annual examination of all those receiving the relief granted by this act shall be made by said board of managers and the amount paid each person shall be fixed according to the direction of said board in accordance with their findings in each case. If not satisfied that the person is qualified to draw the money, the board shall remove such person's name from the list and all payments in the case shall be discontinued.
- The board shall, at its discretion, make examination of any and all recipients of said relief, and in case any person is found no longer needy or the disability has been removed, or there is any other reason why the relief shall not be continued in whole or in part, then said board shall reduce or discontinue the amount.
10. When, upon investigation, the board finds that any blind person who has been a resident of this State for five years, or who has lost his sight in this State,
- Proviso.
- Married persons.
- Not a pauper.
- If removal.
- Examination of recipients.
- Reducing or stopping relief.
- Scholarship for education of blind.

or who was a resident of this State at the time of the passage of this act, may be enabled to earn his living in part or in full, by a course of special instruction, the board may grant a scholarship fund not to exceed ten dollars per week for a period not to exceed forty weeks in each year, such fund may be used to defray the cost of board, tuition and traveling expenses. Any person who willfully fails or refuses to avail themselves of such educational facilities may be denied the benefits of the relief provided for in this act by the written order of the board.

11. The board may appoint a trustee to take charge of the expenditures of the relief granted any applicant, when, in its opinion, such trustee is necessary. In such case the warrant shall be issued to the direct order of such trustee, or in his name upon certificate of the board. Such trustee shall serve without pay and shall be subject to the rules and regulations which said board shall prescribe.

12. If the board, upon examination, finds that the recipient or claimant, for relief may have such disability benefited or removed by proper surgical operation, or medical treatment, according to the evidence of a qualified ophthalmologist, and such person entitled to such relief file his consent in writing, then the board may expend for such surgical operation or medical treatment all or any portion of the relief which the board may award any such person for one year under the provisions of this act. In such case the warrant shall be directly issued to the person performing such surgical operation or rendering such medical treatment upon the certificate of the board instead of being paid as the board may have directed to the person entitled thereto.

13. The expenses incurred by said board for the support, care and maintenance of persons coming within the provisions of this act, shall be charged against the county or other municipality in which such person has a settlement, as determined by the provisions 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, and the acts

By whom pay-  
ment made.

amendatory thereof and supplementary thereto, and shall be paid by the board of chosen freeholders of such county, or the governing body of other municipalities in which such person has a settlement, which respective governing bodies shall annually hereafter in their said budgets provide sufficient funds for the expense and maintenance of persons chargeable to them under this act.

Appropriation.

14. For the purpose of carrying into effect the provisions of this act there is hereby appropriated the sum of fifteen thousand dollars (\$15,000), which sum shall be available when included in any appropriation bill.

15. This act shall take effect immediately.

Approved April 8, 1921.

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#### CHAPTER 232.

An Act to amend an act entitled "An act concerning the charitable, hospital, relief, training, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State, which are supported in whole or in part from county, municipal or State funds," approved February twenty-eighth, one thousand nine hundred and eighteen, and April eleventh, one thousand nine hundred and nineteen, is hereby amended to read as follows:

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

Section 618  
amended.

I. Section six hundred and eighteen of the aforesaid act is hereby amended to read as follows:

Terms of  
admission.

618. Any honorably discharged soldier, sailor or marine may be admitted to said home as an inmate upon the certificate of a judge of the Court of Common Pleas upon proof made to his satisfaction by the written cer-

tificate of a reputable physician and such other proof as the judge may require, that the applicant has been a soldier, sailor or marine in the army or navy of the United States and has been honorably discharged therefrom, that he is necessitous and has not the ability to procure the means sufficient for his comfortable support and necessary care and attendance; *provided*, that he shall have been a resident of this State two years previous to the date of his application for admission; in addition to the other matters hereinbefore provided, he shall also state the place of his residence at the time of entering the service, the company and regiment, or vessel, in which he served, and the captain and colonel under whom he served, the time of his service and of his discharge, and further, that he will conduct himself properly and submit to the rules, regulations and discipline of the said home; *provided, however*, that the provisions of this article shall not be construed to prevent any applicant, who has been a soldier, sailor or marine in the army or navy of the United States, who actually served in a New Jersey military or naval organization who is otherwise qualified, from entering the said home, but preference shall be given to any person who has been a resident of New Jersey two years previous to his application for admission.

2. Section six hundred and twenty-nine of the aforesaid is hereby amended to read as follows:

629. The widow of any soldier, sailor or marine who, if her husband were living, indigent and disabled, would be entitled to admission to said home, may be ordered to be admitted to said home, upon proof that her said husband had been honorably discharged from service or died an honorable death while in the service in the army or navy of the United States, and that she is necessitous and has not the ability to provide the means sufficient for her comfortable support and maintenance; that she is and has been for ten years last past a resident of this State; that she was the wife of said soldier, sailor or marine at the time of his service or became married to him prior to June twenty-seventh, one thousand nine

Proviso.

Residence.

Proviso.

Preference.

Section 629 amended.

Soldiers' widows admitted.

Conditions set forth.

hundred and five, and has never since the death of her husband married again; also upon making proof of such other facts which would have entitled her husband, if alive, to be admitted to said home.

3. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 233.

An Act to amend an act entitled "An act to amend a supplement to an act entitled 'An act concerning corporations' (Revision of 1896), approved April twenty-first, one thousand eight hundred and ninety-six, which supplement was approved April sixth, one thousand nine hundred and eight," which amendment was approved April fifteenth, one thousand nine hundred and twenty.

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

Section 27  
amended.

Corporations  
may increase  
or decrease  
capital.

Change par  
value, amend  
charters, etc.

Method of  
changing.

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

27. Every corporation organized under this act may change the nature of its business, change its name, increase its capital stock, decrease its capital stock, change the par value of the shares of its capital stock, change the location of its principal office in this State, extend its corporate existence, change its common stock into one or more classes of preferred stock, create one or more classes of preferred stock, change its preferred stock into one or more classes of common stock, change stock with par value of any class or classes into stock without par value, and make such other amendment, change or alteration as may be desired, in manner following: The board of directors shall pass a resolution declaring that

such change or alteration is advisable and calling a meeting of the stockholders to take action thereon; the meeting shall be held upon such notice as the by-laws provide, and in the absence of such provision, upon ten days' notice, given personally or by mail; if two-thirds in interest of each class of the stockholders having voting powers shall vote in favor of such amendment, change or alteration, a certificate thereof shall be signed by the president and secretary under the corporate seal, acknowledged or proved as in the case of deeds of real estate, and such certificate, together with the written assent, in person or by proxy, of two-thirds in interest of each class of such stockholders, shall be filed in the office of the secretary of state, and upon the filing of the same, the certificate of incorporation shall be deemed to be amended accordingly; *provided*, that such certificate of amendment, change or alteration shall contain only such provision as it would be lawful and proper to insert in an original certificate of incorporation made at the time of making such amendment, and the certificate of the secretary of state that such certificate and assent have been filed in his office shall be taken and accepted as evidence of such change or alteration in all courts and places.

Certificate of  
change filed.

Proviso.

2. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 234.

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

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

Section 76  
amended.

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

Method of  
raising money  
for lands or  
buildings.

76. (1) 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 schoolhouse or schoolhouses, 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, hereafter designated the governing body; said governing body may appropriate such sum or sums for such purpose or purposes in the same manner as moneys appropriated for other purposes in such city are raised, assessed,

Appropriation.

levied and collected; or said governing 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 six 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 governing body may determine.

Bonds may be issued.

(2) Bonds issued hereunder shall be made payable in annual installments, commencing not more than two years from their date of issue; no installment shall be more than fifty per centum in excess of the amount of the smallest prior installment.

Payable in installments.

(3) All bonds issued hereunder shall mature within a period not to exceed the following number of years for the following classes of purposes:

Maturity of bonds.

A. For the acquisition or construction of schoolhouses, whether including or not including the original furnishings, or equipment, or machinery, or apparatus, required for the proper equipment of such buildings, if such building be:

Schoolhouse and equipment.

(a) Of frame construction—that is, a building of which the exterior walls, or a portion thereof, shall be constructed of wood, or a building sheathed with boards and partially or entirely covered with four inches or less of masonry or with metal sheets—twenty years;

Frame building.

(b) Of non-fireproof construction—that is, a building the outer walls of which are constructed in accord with the specifications contained in clause (c) of this subdivision for a fireproof building, but which fail to conform with any of the other specifications for a fireproof building, as defined in clause (c)—thirty years;

Non-fireproof construction.

(c) Of fireproof construction—that is, a building the walls of which are constructed of brick, stone, iron or hard incombustible materials, and in which there are no wood beams or lintels, and in which the floor, stair halls and public halls are built entirely of brick, stone, iron or other hard, incombustible materials, and in

Fire-proof construction.

which no woodwork or other inflammable material is used in any of the partitions, floorings or ceilings; but this definition shall include a building in which there is used, elsewhere than in the stair halls and entrance halls, wooden flooring and sleepers on top of the fireproof floor, wooden hand rails and treads if made of hard wood not less than two inches thick, or having wooden doors or window sash, or wooden jambs, frames, casings or trim in other than stairs or entrance halls—forty years.

Acquiring land. B. For acquiring land for school purposes and for grading, drainage or otherwise improving or embellishing the land thus acquired—forty years.

Additions. C. For construction of an addition or additions to schoolhouses, and for the reconstruction of schoolhouses if the schoolhouse to which an addition or reconstruction is made is a building:

Bond periods. (a) Of the character described in subdivision A, clause (a)—fifteen years;

(b) Of the character described in subdivision A, clause (b)—twenty years;

(c) Of the character described in subdivision A, clause (c), thirty years.

Apparatus and furnishing. D. For furnishing, refurnishing, equipment or apparatus or renewal of any or all of these things, when not in connection with the original furnishing, equipment or apparatus—ten years.

As to reissuance of bonds. (4) No bonds issued under this section after July first, one thousand nine hundred and seventeen, shall be renewed or refunded, but any bonds issued prior to such date, where the fund or funds on hand for the payment of same at their maturity, or at the time such bonds may be called for payment, will be insufficient to pay same; then such portion only of such bonds as cannot be paid with the fund or funds on hand may be refunded by the issuance of refunding bonds. Such refunding bonds shall run for a period not to exceed twenty years, and shall be made payable in annual installments, each installment to be, as nearly as practical, of the same amount.

Refunding bonds.

(5) Bonds issued for more than one purpose shall mature within a period not exceeding the average of the different periods assigned by this section to the several purposes for which the bonds are issued, taking into consideration the amount of bonds to be issued on account of the several purposes. The determination of such average period by the governing body shall be conclusive in any action or proceeding involving the validity of such bonds.

Average  
period of  
maturity.

(6) Bonds shall be sold at not less than par and unless the authorized amount thereof is ten thousand dollars or less, and unless such bonds shall first be offered to the trustees of the school fund and accepted by them, they shall be sold upon sealed proposals or at public auction after notice of such sale published at least twice, the first publication at least ten days prior to sale, in a newspaper of the municipality, or if no newspaper is published therein then in a newspaper published in the county and circulating in such municipality, and also at least once in a financial paper selected by the governing body. Such notice shall state the terms of sale of such bonds, and shall require all bidders to deposit a certified check for two per centum of the amount of bonds bid for, drawn upon an incorporated bank or trust company, to secure the municipality against any loss resulting from the failure of the bidder to comply with the terms of his bid. If no bids are received for any bonds advertised to be sold at public sale herein, they may, within thirty days thereafter, be sold at private sale but such sales shall be made or confirmed by resolution of the governing body adopted by a two-thirds vote of all the members thereof. The governing body may, by a two-thirds vote of all the members thereof, sell to the sinking fund of such municipality any issue of such bonds or any part thereof at private sale at not less than par. No more bonds of any issue shall in any event be less than will produce a sum equal to the authorized amount thereof, and an additional sum of less than the smallest denomination of the bond.

Sale of bonds.

Auction.

Terms of sale.

Private sale.

May be sold  
to sinking  
fund.

Sale in installments.

Amount stated.

Sold to bidders.

Proceeds paid to custodian of school moneys.

Provision for principal and interest.

Proviso.

(7) Such bonds may be sold at one time or in installments, each of which, the previous installments, shall mature within the period herein fixed. If sold in one installment, or upon the sale of the last installment, the notice of sale shall state the sum required to be obtained at such sale, not exceeding with the proceeds of any previous installments the amount of bonds authorized, and that bonds will be sold in an amount not exceeding such sum, and the maturities of such bonds and the rate of interest thereon. It shall also state that unless all bids are rejected said bonds shall be sold to the bidder or bidders complying with the terms of sale and offering to pay not less than such sum, and to take therefor the least amount of bonds, commencing with the first maturity and stated in a multiple of the smallest denomination of the bonds. Where two or more bidders offer to take the same amount of such bonds, then the bonds shall be sold to the bidder or bidders offering to pay therefor the highest additional price. The proceeds of any bonds issued under this act shall be paid to the custodian of school moneys of the school district, who shall in no event disburse the same, except to pay the expenses of issuing and selling the same, and for the purpose or purposes for which such bonds were issued. If, for any reason, any part of such proceeds are not applied to or necessary for such purpose or purposes, the board of education may transfer the balance remaining unapplied to the building and repairing account of the school district.

(8) Such city shall in its annual tax levy raise money sufficient to pay the interest 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 no amount in excess of three per centum of the taxable valuation of the real and personal property shall be appropriated only with the concurrence and consent of the governing body,

expressed by its resolution duly passed; *provided further*, that the total amount of bonds for such purposes, including bonds theretofore issued for the purposes named in this section and not redeemed, shall not exceed at any one time a sum equal to six per centum of the taxable valuation of the real and personal property in such district; *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 hereafter be held not to apply to the issuing of bonds under the provisions of this section.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 235.

A Supplement to an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen.

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

1. Any county, city, borough, village, town, township or any municipality governed by an improvement commission, authorized to issue bonds, or other obligations, by the provisions of the act to which this act is a supplement, and which for a period of five years, prior to the passage of this act, has owned and operated an electric light plant, which electric light plant for said period has earned its interest charges and made provi-

Bonds issued  
for electric  
plant deducted  
from total  
indebtedness.

sion for its maintenance and amortization charges, shall be allowed to deduct from its bonded indebtedness any bonds or other evidence of indebtedness heretofore issued for the construction and equipment of said electric light or power plant so as aforesaid owned.

2. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 236.

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

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

Section 55  
amended.

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

Vacating  
entry of  
conviction.

55. After conviction and sentence the court before which such conviction was had upon the application of the defendant for a new trial shall have power at any time within the period of six months from the date of the entry of such conviction, to open and vacate the same and grant a new trial and discharge of the defendant from custody upon bail, pending such new trial, and may also at any time within the period of six months from the date judgment is entered, upon application of the defendant, or on its own motion, open and vacate the judgment entered on any conviction and resentence

Granting new  
trial.

Resentence.

the defendant, as right and justice may seem to require and discharge the defendant from custody upon bail, pending such resentencing; *provided*, no writ of error is pending to review such judgment. Proviso.

2. This act shall include convictions heretofore had in any court. Convictions included.

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. Repealer.

Approved April 8th, 1921.

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#### CHAPTER 237.

A Supplement to an act entitled "An act to regulate the practice of optometry, to license optometrists, and to punish persons violating the provisions thereof." Approved April seventeenth, one thousand nine hundred and fourteen.

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

1. Any applicant for a license to practice optometry upon proving to the satisfaction of the New Jersey State Board of Optometrists, 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 at the time of the granting of such license the standard of requirements for license to practice optometry in the State where such license was granted was substantially equal to the standard requirements for such license established by the act to which this act is a supplement in force in this State at said time, 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 or the Secretary of the State Licensing optometrists from other States.

Requirements.

where such license was granted, may, in the discretion of the State Board of Optometrists in this State, be granted a license to practice optometry without further examination, upon the payment to the Secretary of the State Board of Optometrists of a license fee of fifty dollars, and in 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, and the licensee shall thereafter comply with all the requirements of the act to which this is a supplement.

Fee.

2. This act shall take effect immediately.

Approved April 8, 1921.

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#### CHAPTER 238.

A Further Supplement to an act entitled "An act relative to the payment of certain expenses of the educational system of this State," approved April eighth, one thousand nine hundred and nine.

Preamble.

WHEREAS, It is provided in the act to which this is a supplement and in a supplement thereto approved March first, one thousand nine hundred and twenty that prior to the apportionment provided for by 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 twentieth, one thousand nine hundred and six, and the amendments thereof, among the several counties of the State, of the tax assessed in each year by virtue of an act entitled "An act to revise and amend 'An act for the taxation of railroad and canal

property,' approved April tenth, one thousand eight hundred and eighty-four," which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight, there shall be deducted therefrom the sum appropriated annually for the educational purposes therein enumerated, to wit, State Normal School at Trenton, state students at Rutgers (scholarships), New Jersey School for the Deaf, county superintendents, State Normal School at Montclair Heights, Manual Training Industrial School for Colored Youth, evening schools for foreign-born residents, Superintendent of Public Instruction, State Board of Education, State Normal School, Newark, continuation schools, State Board of Examiners, academic credentials, summer schools, industrial education, vocational schools, teachers' libraries, teachers' retirement fund, agricultural college, teachers' institutes; and

WHEREAS, The sums so appropriated and so deducted in excess of the amounts actually used for such educational purposes above referred to have heretofore according to law lapsed and been paid into the State treasury,

Preamble.

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

1. The sums appropriated annually for the educational purposes enumerated in the act to which this is a supplement and in a supplement thereto approved March first, one thousand nine hundred and twenty, to wit, State Normal School at Trenton, State students at Rutgers (scholarships), New Jersey School for the Deaf, county superintendents, State Normal School at Montclair Heights, Manual Training Industrial School for Colored Youth, evening schools for foreign-born residents, Superintendent of Public Instruction, State Board of Education, State Normal School, Newark, continuation schools, State Board of Examiners, academic credentials, summer schools, industrial education, vocational schools, teachers' libraries, teachers' retirement fund, agricultural college, teachers' institutes, and de-

Retention of lapsed appropriations for schools.

Amount certified.

ducted from the tax therein referred to, in excess of the amounts actually used for such purposes, shall upon being certified by the Commissioner of Education to the Comptroller be retained by said Comptroller until the next apportionment of said tax among the several counties of the State to be then apportioned by him in accordance with the provisions of an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," which supplement was approved April fourteenth, one thousand nine hundred and thirteen, instead of the payment of such excess into the State treasury as heretofore.

2. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 239.

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

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

Section 1 amended.

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

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

2. This act shall take effect immediately.

Approved April 8, 1921.

Subnormal children.

Special classes.

Classes for blind or deaf.

Provision for crippled children.

Proviso.

Proviso.

Quarterly examination.

## CHAPTER 240.

An Act relating to gas light companies.

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

Extension of  
corporate ex-  
istence.

1. Any company heretofore incorporated under the laws of the State of New Jersey, and engaged in supplying gas for public or private use in any city, town, township, village, borough or other municipality in this State having a population of less than fifteen thousand may extend, renew and continue its corporate existence and powers in the manner provided in this act.

Certificate  
filed.

2. Such extension shall be made by filing with the Secretary of State a certificate of extension signed by the president and secretary under the corporate seal, acknowledged or proved as in case of deeds of real estate, with the written assent of all the stockholders verified by the oath of the president or secretary.

Statement.

3. The certificate shall state the name of the corporation, the municipality in which it is engaged, the period for which it is extended, and the amount of its authorized capital stock.

Affidavit of  
doing busi-  
ness.

4. There shall be filed with said certificate and assent an affidavit by the president and secretary that the corporation is at the time actually engaged in the conduct of the business for which it incorporated within the municipality named in said certificate.

Privileges  
conferred by  
extension.

5. Upon making and filing said certificate, and paying the same fee imposed upon other corporations for certificates of incorporation, the period of existence of said corporation shall be extended as declared in such certificate, and such corporation may continue to maintain, operate and extend its works, mains, pipes and appurtenances in the municipality named in such certificate, with the same privileges given by any general law to other gas light corporations.

6. Nothing herein contained shall invest such corporation with any exclusive privileges, or exempt it from the operation of any general laws hereafter passed relating to the same class of corporations, or prevent the Legislature from making applicable thereto any general law now in force relating to such class.

No exclusive privileges.

7. Nothing herein contained shall be construed to interfere with the right of the State of New Jersey, reserved by any law now or hereafter existing, to acquire the property and franchises of any such corporation, or at any time to abolish or repeal, alter or amend the charter of the same, nor shall this act be construed to continue any irrevocable or other contract with the State contained in any charter beyond the time originally fixed for its expiration.

Rights of State preserved.

8. Nothing herein contained shall be construed as continuing in force and operation any special provision relating to taxation, or exemption therefrom, in the charter of any corporation whose corporate existence may have been or hereafter shall be extended, renewed and continued in conformity with the terms of this act; but each corporation whose corporate existence may have been or shall be extended, renewed and continued as authorized hereby shall be assessed for taxes in accordance with the provisions of the general law of this State relating to the taxation of corporations.

As to taxation.

9. This act shall apply to any corporation whose charter may have expired prior to the filing of such certificate, provided such certificate is filed within four months after the expiration of such charter.

Application of act.

10. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 241.

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, providing for the establishment of one or more school districts in townships otherwise subdivided."

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

Divided town-  
ship continu-  
ing as one  
school district.

I. Whenever the inhabitants of any township by reason of any legislative enactment shall have been authorized to constitute themselves into smaller municipalities, and have elected so to do, and the inhabitants of such municipalities about to be constituted into governments as boroughs, or otherwise, are desirous of continuing as a single township school district, such inhabitants may, before the institution and inauguration of the new municipal governments in such township elect to remain a single township school district in whole or in part as hereinafter provided. Whenever the board of education of said township school district shall petition the county superintendent of schools of the county in which said township has theretofore existed to appoint a time when meetings of the legal voters of the districts which would be otherwise established in said municipalities shall be held, the said county superintendent of schools shall conduct elections for the determination as to whether the school districts shall remain one district in whole or in part as theretofore existed in the township, at meetings called for the purpose in the various municipalities about to be established in the manner of calling meetings of legal voters for the purpose of establishing consolidated school districts

Meeting to  
determine  
desire of  
voters.

as provided in section one hundred and three of the act to which this act is a supplement, but the duties otherwise resting upon boards of education in municipalities in cases of elections to consolidate school districts shall be the duties of the county superintendent.

2. The board of education of the school district composing said township as existing or previously existing in the manner provided herein and in the act to which this act is a supplement, upon receipt of notice from the county superintendent of schools of the county in which such township is located, that by a majority of all the legal votes cast in each of the territories, or districts or of two or more thereof, comprising what would otherwise be newly constituted school districts in said township as coextensive with the municipalities about to be established in said township have elected to remain one school district, or in part a school district as hereinafter provided shall then continue as theretofore in the territory comprising said township district, and shall have all the powers theretofore existing as a board of education of the school district of the said township to the extent thereof.

Continuation  
of present  
school board.

3. When any such elections shall have been held in any theretofore existing township as in this act provided and the result of the elections which shall have been held in the territory which would comprise the new school districts coextensive with the municipal governments about to be set up, shall be that not all of the new municipal governments by the expression of preference of the legal voters shall desire or elect to remain one school district, then in case two or more of such districts in such newly authorized municipalities shall elect to remain one school district, the board of education of such newly consolidated district shall be constituted in the same way and manner as boards of education in new districts are constituted, as provided in section thirty-three of the act to which this act is a supplement. The newly authorized municipalities which shall by the legal voters thereof elect not to remain in the township school district as theretofore existing shall be constituted sep-

In case of  
newly-formed  
districts.

arate school districts coextensive with the municipalities in which they may be situated; *provided, however*, that nothing in this act contained shall be construed to prohibit the formation of consolidated school districts as heretofore, but all municipalities remaining township districts when subdivided entirely or subdivided in part only shall have all the powers and privileges which previously pertained to such township districts to the extent thereof.

4. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 242.

An Act to vest in Matilda T. Marshall and Ella C. Purcell the right, title and interest of the State of New Jersey in and to certain land and premises situate in the borough of Bradley Beach, in the county of Monmouth, State of New Jersey, of which Esther D. Power died seized.

**Preamble.** WHEREAS, Esther D. Power, of Monmouth county, New Jersey, died seized in fee of a small house and lot in the borough of Bradley Beach, Monmouth county, New Jersey, hereinafter more particularly described in this act; and

**Preamble.** WHEREAS, The said Esther D. Power, by her last will and testament, dated August fifth, one thousand eight hundred and eighty-three, devised the residue of her estate to one Mary F. Gerald, who pre-deceased the said Esther D. Power, without making any devise of said land and leaving no heirs capable of inheriting the same; and

**Preamble.** WHEREAS, Esther D. Power subsequently died, to wit, January fifth, one thousand nine hundred and eight-

een, without making any further devise of said land and leaving no heirs capable of inheriting the same; and

WHEREAS, Matilda T. Marshall and Ella C. Purcell are the half-sisters of Ann Fitzpatrick, deceased, who was a first cousin of Esther D. Power; and

WHEREAS, The said Matilda T. Marshall and Ella C. Purcell were always called, recognized, treated and regarded by the said Esther D. Power as her first cousins; now, therefore,

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

1. All the right, title and interest of the State of New Jersey, in and to all that certain lot, tract or parcel of land and premises, situate, lying and being in the borough of Bradley Beach, in the county of Monmouth and State of New Jersey,

Beginning at a point in the northerly line of Malbone (or Fifth) avenue distant one hundred feet westerly from the northwest corner of Fifth avenue and Central avenue; thence westwardly along the northerly line of Fifth avenue fifty feet; thence northwardly at right angles to Fifth avenue one hundred and fifty feet; thence eastwardly parallel with Fifth avenue fifty feet; thence southwardly again at right angles to Fifth avenue one hundred and fifty feet to the northerly line of Fifth avenue and place of beginning.

Being the same premises conveyed to Esther D. Power by Daniel R. Wilkins and wife, by deed dated March twenty-fifth, one thousand nine hundred and seven, and recorded in the clerk's office of the county of Monmouth, in book seven hundred and ninety-nine of deeds for said county at page twenty-seven, et cetera; together with the appurtenances thereunto belonging or anywise appertaining, are hereby granted, remised, released, conveyed and confirmed unto the said Matilda T. Marshall and Ella C. Purcell, as tenants in common, to them, their heirs and assigns forever; *provided*, that

Preamble.

Preamble.

Vestment of title of certain property.

Boundaries of property.

In whom vested.

Proviso.

Proviso.

the recitals in the preamble of this act are true; *and provided, further*, that nothing in this act contained shall in any manner interfere with the lawful claims of any person or persons in and to the said lands and premises, other than the right and interest of the State of New Jersey.

2. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 243.

A Further Supplement to an act entitled "An act to authorize the board of chosen freeholders of any of the several counties of this State to lay out, open, construct, improve and maintain a public road therein," approved April seventh, one thousand eight hundred and eighty-eight.

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

Widen roads.

1. In addition to the powers heretofore conferred by the act to which this act is a supplement, or by any act amendatory thereof or supplementary thereto, upon the board having charge of any road constructed or built under the provisions of said acts, the said board shall be and hereby is authorized and empowered, whenever, in its judgment, the exigencies of travel upon any part of such road require it, to widen the same to an additional width of not exceeding one hundred feet on each side thereof and to use the land so acquired for the purpose of diverting traffic upon and over such road for parking space for automobiles and other vehicles using such road; *provided, however*, that the distance for which such road shall be so widened shall not exceed five hundred feet.

Proviso.

2. Said board is hereby empowered to acquire such lands as may be necessary therefor, with all buildings erected thereon, and to raze and remove such buildings from such lands. In proceeding to acquire such land and buildings the said board shall be governed by the provisions of the act to which this act is a supplement and all acts amendatory thereof and supplementary thereto, and all moneys required to be raised for such purposes shall be raised in the manner prescribed in such acts. Acquire land necessary.

3. This act shall take effect immediately.  
Approved April 8, 1921.

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#### CHAPTER 244.

A Further Supplement to 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, one thousand nine hundred and eleven.

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

1. The board of chosen freeholders of any county of this State may in its discretion appoint not less than three nor more than five persons, citizens and residents of such county, as members of a board of recreation. Board of recreation.  
The members first appointed under this act in any county shall hold office for the term of one, two, three, four and five years respectively, according to the number appointed, as fixed and designated by the board of chosen freeholders in its respective appointments, and thereafter, appointment to said board shall be made for the full term of three years or five years according Terms of members.

Vacancies.

Women  
eligible.

Powers.

Playgrounds,  
etc., jointly  
operated.

to the number appointed to comprise said board. Vacancies shall be filled for the unexpired term only. Members shall serve without pay. Women shall be eligible for appointment.

2. The board of recreation in any county shall have the power granted the board of recreation in any municipality under the act to which this act is a supplement.

3. Any two or more municipalities in any county or any municipality and county may jointly acquire property for and operate and maintain any playgrounds, playfields, gymnasiums, public baths, swimming pools or indoor recreation centers. Any school district shall have power to join with any municipality or the county in which said school district is located in equipping, operating and maintaining playgrounds, playfields, gymnasiums, public baths, swimming pools and indoor recreation centers, and may appropriate money therefor.

4. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 245.

An Act to annex to the town of Dover, in the county of Morris, a part of the township of Rockaway in said county of Morris.

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

Part of  
Rockaway  
township an-  
nexed to  
Dover.

1. From and after the passage of this act that part of the township of Rockaway in the county of Morris, and in this act more particularly described, shall be and become a part of the borough of Dover in said county of Morris, and shall be governed by the provisions of an act entitled "An act to incorporate Dover," approved April first, one thousand eight hundred and sixty-nine, and the acts amendatory thereof and sup-

plemental thereto, and the ordinances of said borough heretofore or hereafter adopted.

2. That part of the township of Rockaway, to be and become a part of the town of Dover, upon the passage of this act is more particularly described as follows:

Boundaries of annexed portion.

Beginning at a point in the middle of Rockaway river at a corner of the boundary line between the township of Rockaway and the town of Dover as fixed, determined and monumented by commissioners as by their report dated January fourteenth, one thousand nine hundred and twenty-one, filed in the office of the clerk of said county of Morris and running thence (1) along said boundary line by true or solar bearing north thirty-nine degrees forty-four minutes thirty-two seconds east one thousand six hundred and a half feet to a corner of said boundary line; thence (2) along said boundary line north sixty-one degrees one minute eighteen seconds west, solar bearing seven thousand and twelve feet and forty-five hundredths of a foot to a granite monument set in concrete marked on its upper surface with a straight groove showing the direction of said line and an intersecting groove showing the approximate direction of the boundary line between the township of Randolph and the town of Dover and further marked on its upper surface with the letters "R-Y" on the northeasterly side of said straight groove and the letter "D" on the southerly side of the intersecting groove and with the letters "R-H" on the westerly side of said intersecting groove; thence (3) north forty-eight degrees thirty-nine minutes twelve seconds east solar bearing, one hundred fifty-six and fifteen one-hundredths feet to a granite monument marked "D"; thence (4) south sixty degrees eleven minutes fifty-four seconds east solar bearing, seven thousand one hundred forty-four and thirty-five one-hundredths feet to a granite monument marked "D" distant one hundred ninety-five and sixty-four hundredths feet on a solar bearing of south eighty degrees twenty-eight minutes three seconds east from the end of the first line hereof; thence (5) south

twenty degrees fifty-four minutes forty-seven seconds west solar bearing, passing over a granite monument marked "D" set on the northerly side of Blockwell street, one thousand five hundred ninety feet to the middle of Rockaway river; thence (6) up the middle of said river its several courses and distances to the point or place of beginning.

3. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 246.

An Act to authorize cities, boroughs, towns, townships and villages of this State to construct, improve and complete any part of any State highway system within any such cities, boroughs, towns, townships and villages of this State, now or hereafter laid out, or taken over by the State Highway Commission, and to issue and sell bonds or other obligations of any such cities, boroughs, towns, townships and villages to provide funds for such purposes.

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

Improving  
highways in  
municipalities.

I. The governing body of any city, borough, town, township or village of this State in which a State highway shall have been or may hereafter be laid out or taken over by the State Highway Commission may, with the consent of the State Highway Commission, construct and improve any part of said highway within such city, borough, town, township or village. Such construction and improvement shall be in accordance with plans and specifications submitted by such council

Approval of  
plans.

and approved by the State Highway Commission, and shall be conducted by such council at all times subject to the inspection of said State Highway Commission. Any contract for the construction or improvement of any highway made by any city, borough, town, township or village under this act shall not be effective until approved by the State Highway Commission both as to character and cost of work and materials, and shall provide that no payment shall be made thereunder to any contractor except on the certificate of the city, borough, town, township or village engineer, countersigned by the State Highway Engineer, certifying that the work for which payment is claimed has been done in all respects in accordance with the contract and with the plans and specifications.

Approval of contract.

Payments.

2. The council of any city, borough, town, township or village may provide and raise moneys to be expended for the construction and improvement of highways, as provided by section one of this act, by issuing notes or bonds under the provisions of an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and amendments thereof and supplements thereto, excepting, however, a deduction shall be made in the annual or supplemental debt statement called for in section twelve of said act for bonds issued under this act equal to one-half of one per centum of the average of the valuations of the three next preceding years, as called for in section twelve of said act. The obligations issued under the authority of this act and renewals thereof shall be made under the provisions and limitations of section thirteen of said act. If the State Highway Commission shall not take over such highway or highways in the manner as prescribed in section three of this act before six years after the authorization of appropriation for such construction and improvement as called for in the above referred to act, the city, borough,

Bond issue.

Deduction in debt statement.

If highway not taken.

Refund in-  
debtedness.

town, township or village shall refund the indebtedness incurred under the authority of this act by the issuance of bonds, which bonds shall be issued under the provisions of said act, but in no case shall the last maturity of the bonds so issued be longer than the period set forth in section four of said act, counting from the time of the authorization of the appropriation for such construction and improvement, but after their issue such bonds shall cease to be deducted in the annual or supplemental debt statement under section twelve of said act.

Taking over  
highway.

3. Whenever the State Highway Commission shall have approved any contract made in accordance with section one of this act and the payments thereunder, it shall within six years after the date of such approval, if funds be on hand available for such purpose, take over any highway constructed by any borough under said contract in accordance with the terms of this act and pay to said city, borough, town, township or village the actual cost of the construction thereof, without interest.

Payment  
used to retire  
bonds.

When any such sum is paid to any city, borough, town, township or village, the sum so paid, or such part thereof as may be necessary, shall be used for the purpose of retiring any bonds or other obligations issued for the purpose of raising funds for the construction of such road. No road constructed by any city, borough, town, township or village under this act shall be taken over and paid for by the State Highway Commission unless the State Highway Engineer shall certify to such commission that such road has been constructed in all respects in accordance with the plans and specifications approved by said commission.

Certification  
as to com-  
pletion.

When reim-  
bursed.

4. The State Highway Commission may, by resolution, designate the year in which said city, borough, town, township or village shall be reimbursed for such work.

5. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 247.

An Act providing for the registration and protection of hotel names.

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

1. It shall be lawful for any person or corporation engaged in conducting any hotel in any municipality of the State to adopt and register in the manner hereinafter provided a name by which said hotel shall be known and designated.

Hotel name registered.

2. Any person or corporation desiring to register such hotel name shall file in the office of the clerk of the county in which such hotel is situate, a certificate setting forth the name by which such hotel shall be known and designated; that no other hotel in the same municipality is known and designated by said name or by a name sufficiently similar thereto to deceive or mislead the public in consequence of the use of said hotel names in the same municipality, the name or names of the person, persons or corporation conducting said hotel and adopting such name, with the postoffice address or addresses of such person, persons, or corporation, a brief description of the location of said hotel and in particular the name of the municipality in which such hotel is situate. Said certificate shall be duly executed and the statements therein contained sworn to by the person or persons filing the same before a person authorized by the laws of this State to administer an oath.

Certificate filed with county clerk.

What certificate to show.

3. The several county clerks of this State shall keep an alphabetical index of all persons and corporations filing certificates under the authority of this act and for the indexing and filing of such certificates the county clerk shall receive a fee of one dollar from the person or corporation presenting the same for filing. A copy of such certificate duly certified to by the county clerk

Index kept by clerk.

New Jersey State Library

in whose office the same shall be filed shall be prima facie evidence in all courts in this State of the facts therein contained.

Registering  
like or similar  
names.

4. It shall not be lawful for the clerk of any county in this State to register or permit to be registered in his office for any person or corporation any hotel name identical with the registered name by which any other hotel in the same municipality is then known and designated, nor register or permit to be registered for any person or corporation any hotel name which is sufficiently similar to the registered name of any other hotel in the same municipality as to mislead and deceive the public; *provided, however*, that the hotel, the name of which has been registered is still being conducted and known and designated by such registered name.

Proviso.

Use of same  
or like name  
by others.

5. Whenever any person or corporation engaged in conducting any hotel in any municipality in this State shall have adopted a hotel name by which said hotel shall be known and designated and said hotel is being conducted under said name and the same shall have been registered pursuant to this act, it shall be unlawful and a violation of this act for any other person or corporation to use the same hotel name or a name sufficiently similar thereto to mislead and deceive the public for any hotel conducted in the same municipality.

Penalty.

Proviso.

6. Any person violating the provisions of section five of this act shall, for every day during which such violation shall be continued, be liable to a penalty of twenty-five dollars; *provided, however*, that before any such action is instituted, at least ten days' notice of the proposed action shall be given to the offender, and if said offender shall, before the expiration of said time, cease to violate the provisions of said section, then he shall not be liable to said penalty. An action for the recovery of said penalty for violation of the provisions of this act shall be in the nature of an action in debt, and may be brought in the District Court of any city, or judicial district in the small cause court of any county, and before the police magistrate and recorder of any city, town, township, borough or village, and jurisdiction is hereby conferred upon the District Court, the small

Recovery of  
penalty.

cause court, the police court and the recorder's court of any city, town, township, borough or village to hear and determine actions brought as aforesaid. Any such action may be brought by any person as a common informer. Any penalty, when recovered, shall be paid into the treasury of this State.

7. This act shall take effect immediately.

Approved April 8, 1921.

#### CHAPTER 248.

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 one hundred and nine of the act entitled "An act concerning corporations (Revision of 1896)," is hereby amended to read as follows: Section 109 amended.

109. Consolidated corporation authorized to issue bonds and mortgage property. Bond issue.

When two or more corporations are merged or consolidated the consolidated corporation shall have power and authority to issue bonds or other obligations, negotiable or otherwise, and with or without coupons or interest certificates thereto attached, to an amount sufficient with its capital stock to provide for all the payments it will be required to make or obligations it will be required to assume, in order to effect such merger or consolidation; to secure the payment of which bonds or obligations it shall be lawful to mortgage its corporate franchises, rights, privileges and property, real, personal and mixed; *provided*, such bonds shall not bear a greater rate of interest than eight per centum per Consolidated corporations may issue bonds. Mortgage to secure payment. Proviso.

Hold stocks  
of other cor-  
porations.

Amount.

annum; the consolidated corporation may purchase, acquire, hold and dispose of the stocks of other corporations of this State or elsewhere and exercise in respect thereto all the powers of stockholders thereof, and may issue capital stock, either common or preferred, or both, to such an amount as may be necessary, to the stockholders of such merging or consolidating corporations in exchange or payment for their original shares, in the manner and on the terms specified in the agreement or merger or consolidation; which may fix the amount and provide for the issue of preferred stock based on the property or stock of the merging or consolidating corporations conveyed to the consolidated corporation, as well as upon money capital paid in.

Approved April 8, 1921.

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CHAPTER 249.

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

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

Sections 1 and  
2 amended

I. Sections one and two of said supplement be and the same are hereby amended to read as follows:

Supervisor  
of child study.

I. When in any county a survey has been made setting forth facts and conditions regarding juvenile delinquency and deficiency among children of school age, the results of which shall, in the opinion of the Commis-

sioner of Education, warrant the establishment of a department of child study, there may be appointed by the Commissioner of Education, with the approval of the State Board of Education, a supervisor of such department who shall work under the authority of the county superintendent. The term of office of such supervisor shall be for one year, and he or she shall receive an annual salary of not more than twenty-five hundred dollars.

Term.

Salary.

2. The county superintendent of the county in which a supervisor has been appointed, as provided herein, shall, before making his apportionment of school moneys, deduct from the amount of railroad tax appropriated to his county the sum of two thousand five hundred dollars for the salary of such supervisor, and the further sum of five hundred dollars for traveling expenses, which sums shall remain in the hands of the county collector and shall be available only for the payment of the salary of such supervisor and the expenses incurred by said supervisor in the performance of his official duties. If at the time of making the then next apportionment of school moneys any balance of said moneys heretofore appropriated shall remain in the hands of the county collector, said county collector shall certify to the county superintendent of schools the amount of said balance, and the county superintendent shall thereupon include said amount in the amount to be apportioned among the schools of his county in the then next apportionment. The salary of such supervisor shall be paid in ten equal monthly installments on orders issued by the county superintendent drawn on the county collector and paid out of the money apportioned to him for that purpose. All claims for expenses of said supervisor shall be paid after being audited by the county superintendent on orders issued by said county superintendent and drawn on the county collector; *provided*, such expenses shall not exceed in any one year the sum of five hundred dollars.

Provision  
for salary  
and expenses.Balance in-  
cluded in next  
appropriation.

Payments.

Expenses.

Proviso.

2. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 250.

A Supplement to an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen.

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

1. Any indebtedness heretofore incurred by any municipality of this State in good faith, for any of the purposes for which bonds are authorized to be issued by virtue of the act to which this act is a supplement, and not in excess of the limit of such indebtedness fixed by said act, shall be considered as a temporary indebtedness for the purposes for which such obligations were incurred within the meaning of the act to which this act is a supplement and temporary bonds may be issued for the purpose of paying the same as provided in the act to which this act is a supplement.

2. This act shall take effect immediately.

Approved April 8, 1921.

Certain bond  
issue con-  
sidered tem-  
porary in-  
debtedness.

## CHAPTER 251.

A Supplement to an act entitled "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," approved April first, one thousand nine hundred and twelve, as said act was last amended by an act approved April tenth, one thousand nine hundred and nineteen.

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

1. There shall be appointed by the Governor of this State two additional members to the commission authorized under the statute to which this is a supplement to act together with a like board or commission from the State of Pennsylvania when two additional members have been duly authorized and qualified by the State of Pennsylvania by supplementary or amendatory legislation for the purpose, so that instead of the joint commission authorized by the concurrent legislation of both States, consisting of three members from each State, or six members in all, as heretofore, that said joint commission shall consist, after concurrent legislation has become operative in both States, of ten members, five from each State. Said two additional members may be appointed upon the taking effect of this act and when confirmed shall be commissioned as soon as, and only if, such concurrent legislation in both States has then become operative.

Additional  
members of  
commission on  
free bridges.

2. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 252.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for several public purposes, for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one," approved May seventeenth, one thousand nine hundred and twenty.

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

Appropriation  
to meet de-  
ficiency in  
legislative  
expenses.

1. The following sum, or so much thereof as may be necessary, be and hereby is appropriated out of the State fund for immediate use, for the purposes herein specified as an additional appropriation for supplying the deficiency in the like former appropriation for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one:

## B. LEGISLATIVE.

## B I. LEGISLATURE.

## Salaries:

Additional for compensation for officers and employees, pursuant to chapter 192, Laws of 1921, .....	\$7,570 00
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## Miscellaneous:

Indexing Journal and Minutes and other incidental and contingent expenses, .....	8,000 00
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	\$15,570 00
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2. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 253.

An act to validate outstanding sewer certificates heretofore issued by any borough for the construction of a sewer system or any part thereof in excess of the amount authorized by law and to authorize the payment and funding thereof by the issue of funding bonds and providing for the payment of such bonds.

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

1. All outstanding sewer certificates heretofore issued by any borough in this State for the construction of a sewer system or any part thereof issued in excess of the amount authorized by law are hereby validated, ratified and confirmed, and any borough having issued any such sewer certificates is hereby authorized to pay or refund the same by the issuance of the bonds of such borough notwithstanding any limitation of indebtedness contained in any statute of this State.

Validating  
excess issue  
of sewer cer-  
tificates.

Refunding  
by bond issue.

2. Such funding bonds shall mature in substantially equal annual installments commencing not more than two years from their date, and shall all mature within not exceeding twelve years from their date. The mayor and council of the borough shall sell such bonds at not less than par value as other bonds of the borough are required by law to be sold, or may exchange and substitute such bonds for such sewer certificates in like principal amounts, and the holders of such sewer certificates shall accept such bonds in payment and satisfaction of such sewer certificates. Such funding bonds shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually, and may be sold or exchanged immediately or from time to time in installments in the discretion of the mayor and council of any such borough, and if sold the proceeds shall be devoted to paying or retiring such outstanding sewer certificates and to no other purpose.

Maturity of  
bonds.

Sale of bonds.

Interest.

Proceeds.

Provision  
for principal  
and interest.

Recital in  
bonds.

3. There shall be annually levied, assessed and collected upon the taxable property of any borough issuing such funding bonds a sum sufficient to pay the principal and interest of such bonds as the same become due.

4. Such bonds shall contain a recital of the title of this act, and such recital shall be conclusive evidence of the validity of such bonds; and such bonds when issued shall be valid and binding obligations of such borough.

5. This act shall take effect immediately.

Approved April 8, 1921.

#### CHAPTER 254.

An Act to amend an act entitled "An act concerning counties," approved March fourth, one thousand nine hundred and eighteen.

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

Section 501  
amended.

Expenditures  
over \$1,000  
advertised.

1. Section five hundred and one (501) shall be amended to read as follows:

Proviso.

Proviso.

501. No officer, board, commission, committee or department, or other branch of any county government, shall enter into any contract for the doing of any work or for the furnishing of any materials, supplies or labor, the hiring of teams or vehicles, where the sum to be expended exceeds the sum of one thousand dollars, unless the said officer, board, commission, committee or department, or other branch of the county government, shall first publicly advertise for bids therefor, and shall award the contract for the same to the lowest responsible bidder; *provided*, this section shall not prevent the hiring of teams or doing of work by employees of any county or any department thereof; *and provided, further*, that in any county where a department or purchasing agent shall have been established, said public

advertising shall be prepared and bids received and said awards be made by the purchasing agent, subject to the approval of the board of chosen freeholders of said county; *and provided, further*, if the exigency of any public service will not admit of such advertisement, said work may be done or said materials may be purchased forthwith; *provided*, the board charged with doing or purchasing the same shall first, by a four-fifths vote of all its members, pass a resolution declaring such exigency to exist, and that the immediate performance of the work and furnishing of any materials will not admit of the ordinary delay in advertising for proposals.

2. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 255.

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

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

1. Whenever any secretary of any board of education in this State has or shall have been for twenty-five years continuously in public office or position in such board, and has or shall have attained the age of sixty years, it shall be lawful for such board of education to allow the retirement of such secretary from service upon his own request.

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, such sum as the said board of education may by resolution determine, not less, however, than one-half of the salary then being received by

him for such service, the same to be paid in the same manner and in the same installments in which such salary has heretofore been payable.

Provision  
for payment.

3. Provision for the payments of pensions arising under this act shall be made in the same way and manner as for all other expenses for the maintenance of such boards of education; 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.

4. This act shall take effect immediately.

Approved April 8, 1921.

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#### CHAPTER 256.

An Act reappropriating the unexpended balances of certain items heretofore appropriated to the New Jersey State Hospital at Morris Plains by the provisions of 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 June thirtieth, one thousand nine hundred and twenty-one," approved May seventeenth, one thousand nine hundred and twenty.

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

Unexpended  
balances re-  
appropriated.

1. There is hereby reappropriated the unexpended balances, if any, as of June thirtieth, one thousand nine hundred and twenty-one, of the following items, included in the provisions of 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 June thirtieth, one thousand nine hundred and twenty-one," approved May seventeenth, one thousand nine hundred and twenty:

CHAPTERS 256 & 257, LAWS OF 1921.

783  
For Morris  
Plains Asylum.

X 15. STATE HOSPITAL, MORRIS PLAINS.  
NEW BUILDINGS.

Additional housing for inmates, . . . . . \$400,000 00

There is hereby appropriated the undisbursed balance on the thirtieth day of June, one thousand nine hundred and twenty, of the appropriation made in the year one thousand nine hundred and nineteen, "for the erection of two treatment buildings for the prevention and curing of insanity,"

which are hereby made available for the completion of the work for which such moneys were originally appropriated and for any appurtenances thereto, and likewise for the erection of additional housing facilities for additional inmates or for employees, as the State Board of Control of Institutions and Agencies in its discretion shall determine.

2. This act shall take effect immediately.

Approved April 8, 1921.

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CHAPTER 257.

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

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

Section 20  
amended.

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

Funds for  
county voca-  
tional school.

20. Whenever a board of education of a county vocational school 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 building or buildings for the use of such school, it shall prepare and deliver to each member of the board of school estimate 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 board of chosen freeholders of the county in which such school is situate. Said board of chosen freeholders may appropriate such amount as other appropriations are made by it, and said amount shall be raised, assessed, levied and collected at the same time and in the same manner as moneys appropriated for other purposes in such county are raised, assessed, levied and collected; or said board of chosen freeholders may appropriate and borrow such amount for the purpose or purposes aforesaid, and may secure the repayment of the sum so borrowed, together with interest thereon, by the issue of bonds in the corporate name of such county. Bonds so issued shall be designated "county vocational school bonds." Such bonds shall be issued and sold in accordance with an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness, by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and the amendments thereof and supplements thereto. The proceeds of the sale of such bonds shall be deposited with the treasurer of the county vocational school and shall be paid out only on the warrants or orders of the board of education of such school.

2. This act shall take effect immediately.

Approved April 9, 1921.

Amount fixed  
by board of  
school esti-  
mate.

Amount ap-  
propriated by  
by freeholders.

Bonds, how  
designated.

Sale, etc.

Use of pro-  
ceeds.

## CHAPTER 258.

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

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

1. Section one hundred and seven of the above entitled act be and the same is hereby amended so that said section shall read as follows:

Section 107  
amended.

107. The following and no other fees shall be allowed to magistrates and constables in this State, in criminal cases, and no fees shall be demanded from parties applying to magistrates or constables for their services, but such fees shall be paid out of the funds of the county in which such services were rendered in the manner provided in the preceding section:

Fees allowed  
magistrates  
and constables.

For drawing complaint and taking affidavit, . . .	\$1 00
For issuing every warrant, . . . . .	75
For drawing commitment, . . . . .	1 00
For drawing every recognizance, . . . . .	75
For warrant to jailer to discharge prisoner, . . .	75
For issuing every subpoena, . . . . .	25
For taking examination in writing, when re- quired by law, fee folio, . . . . .	30
For examination in a case where not required to be taken in writing, . . . . .	2 00
For swearing every witness, . . . . .	25
For making and certifying bill of items of costs in every case, . . . . .	50
For drawing, certifying and sending to the judge of the proper court a copy of complaint and commitment, in a case where a boy under sixteen years of age is charged with crime,	

and he is a fit subject to be sent to the State  
Reform School, ..... 3 00

In cases arising under the act relating to vice and immorality, magistrates and constables shall be entitled to the same fees as for like services in other criminal cases.

2. This act shall take effect immediately.

Approved April 9, 1921.

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CHAPTER 259.

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:*

Section 56  
amended.

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

Spark ar-  
resters on  
locomotives.

56. Every company or person operating or using any railroad shall take and use all practicable means to prevent the communication of fire from any engine used by them in passing along or being upon such railroad to the property, of whatever description, of any owner or occupant of any land adjacent or near to said railroad, and shall provide such engine with a screen or cover so as to arrest and prevent, as much as practicable, the escape of fire; any company or person refusing or neglecting to make such provision shall forfeit for every such refusal or neglect one hundred dollars to any person who may sue for the same, to be recovered, with costs in an action upon contract in any court having cognizance thereof, one-half of the sum to go to the person suing and one-half to the State for the public school fund.

Penalty.

2. This act shall take effect immediately.

Approved April 9, 1921.

## CHAPTER 260.

A Further Amendment to an act entitled "A further supplement to an act entitled 'An act to regulate fees,'" approved April fifteenth, one thousand eight hundred and forty-six; which supplement was approved March twenty-second, one thousand eight hundred and ninety-two; which amendment was approved March tenth, one thousand eight hundred and ninety-three.

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

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

1. For making every report in pursuance of any order or decree made, taken or entered in any suit, cause, matter or proceeding in the Court of Chancery of this State, after the passage of this act, every master in Chancery and every special master in Chancery shall be entitled to receive the sum of ten dollars and no more, and that for drawing every such report every such master in Chancery and every special master in Chancery shall be entitled to receive forty cents for every folio of one hundred words. Master's fees.

2. Section three of the act to which this is an amendment shall be, and the same is hereby amended to read as follows: Section 3 amended.

3. Every master in Chancery, special master in Chancery and Supreme Court commissioner shall be entitled to receive, upon taking the affidavits, depositions or examinations of witnesses upon or under any order or decree made in any cause, matter or proceeding by any of the courts of this State, or by any judge thereof, for his attendance at the taking of such affidavit or affidavits, deposition or depositions, or examination or examina- Per diem.

tions of a witness or witnesses, six dollars for every sitting, not exceeding three under the same order or decree, to be paid by the party or person obtaining such decree or order, and included in his taxable costs.

3. This act shall take effect immediately.

Approved April 9, 1921.

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CHAPTER 261.

An Act providing for the establishment and maintenance of a fund subject to the disbursement of the New Jersey State Highway Commission for the payment of salaries and wages of its officers and employees.

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

Fund for  
salaries and  
wages.

1. The State Highway Commission is authorized to establish and maintain a fund for the payment of the salaries and wages of its officers and employees out of the State Road Fund in the following manner:

Amount  
determined  
and certified.

The State Highway Commission immediately after the taking effect of this act is authorized to certify to the Comptroller of the Treasury the amount of salaries and wages paid on the certification of the designated approval officer of the State Highway Commission to its officers and employees for the month next preceding such date of certification, and the Comptroller of the Treasury upon verifying same, shall issue his warrant for such amount to the State Treasurer who shall pay the same forthwith to such custodian of the fund as the commission shall designate as hereinafter provided.

Custodian of  
fund.

2. The State Highway Commission shall designate one of its employees to act as custodian of the fund hereby established. The custodian shall furnish a surety bond conditioned for the satisfactory maintenance and

disbursement of the fund in a sum at least double the amount of the fund as first established.

The custodian shall make no expenditure from said fund for salaries and wages of the officers and employees of the said commission except on proper certification and approval of the Civil Service Commission.

Expenditures.

3. The commission is authorized and directed to pay out of the said fund salaries and wages of its officers and employees at least bi-monthly, as other State officers and employees are paid by the State Treasurer.

Bi-monthly payments.

4. The fund so established shall be replenished and maintained by payments made by the State Treasurer to the said custodian, on the warrant of the Comptroller, which payments shall in amount equal the sum disbursed immediately previous to the date of said warrant of the Comptroller of the Treasury. The sum to be paid shall be established by a certification bearing approval of the Civil Service Commission and of the approval officer designated by the State Highway Commission.

Maintenance of fund.

5. The Comptroller of the Treasury is further authorized to require from the said State Highway Commission or said custodian or other approval officer, or any or all of them, such further satisfactory proof as to the proper disbursement of said fund and its maintenance as he may in his judgment require, and he is hereby authorized to withhold said warrant for the replenishing of said fund until such proof is forthcoming, *provided, however*, that in such event the salaries and wages of the officers and employees of the State Highway Commission shall be paid by the State Treasurer upon the warrant of the Comptroller of the Treasurer after approval of the Civil Service Commission as heretofore in effect, until such time as the cause for withholding of said warrant shall have been removed.

Proof of payment.

Proviso.

6. This act shall take effect immediately.

Approved April 8, 1921.

## CHAPTER 262.

A Further Supplement to an act entitled "A further supplement to an act entitled, 'An act to establish in this State boards of health and a bureau of vital statistics and to define their respective powers and duties,' approved March thirty-first, one thousand eight hundred and eighty-seven," and which further amendatory act was approved April eighth, one thousand nine hundred and three.

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

Permanency  
of certain  
health officers.

1. No health officer, sanitary inspector, or employee holding a license as provided for in the act to which this act is a supplement, after five years' consecutive service in the employ of any local board of health in this State, shall be removed from office, or reduced in pay or position, except for just cause and after a public hearing as hereinafter provided.

Charges may  
be preferred.

2. The board of health employing any health officer or sanitary inspector whom it is sought to remove shall formulate or receive charges, in writing, against such person and shall fix a time and place for a hearing thereon. A written copy of such charges, and a written notice of the time and place of such hearing, shall be served upon the person sought to be removed, at least five days prior to such hearing. At such hearing the said board shall hear all witnesses and shall receive all evidence produced, and if such charges are found to be true in fact, and just cause be shown, said board may remove or reduce the pay or position of the person against whom such charges are made.

Notice served.

Hearing.

3. This act shall take effect immediately.

Approved April 9, 1921.

## CHAPTER 263.

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

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

1. In every county where the adoption of this act shall have been submitted or shall hereafter be submitted to the voters for acceptance or rejection, and has been rejected, this act shall not be submitted to vote again for a period of five years from the date of its rejection. Resubmission of adoption.

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

Approved April 9, 1921.

## CHAPTER 264.

An Act to validate the sale of land for delinquent taxes in any instance where any municipality or other taxing district has commenced a tax sale under one act for the collection of delinquent taxes on land and has held the sale under any other act.

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

1. Whenever any municipality or other taxing district has authorized a sale of land therein for delinquent Validating sales of land for delinquent taxes.

taxes under an act of the Legislature entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three, and such sale so authorized has been held under 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, such sale and all the proceedings thereunder are hereby validated and confirmed as if the said sale and all proceedings thereunder were carried out pursuant to the provisions of the act first aforesaid, and all titles accruing under and based upon such sale are hereby declared to be legal and valid titles when completed and effected by the notices and proceedings required by the act of the Legislature last above mentioned; *provided, however*, that all notices and proceedings shall be taken under the last-mentioned act as required thereby.

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

Approved April 9, 1921.

Titles valid.

Proviso.

Repealer.

## CHAPTER 265.

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*:

Fees and salary of sergeant-at-arms in fourth class cities.

.1. Whenever the population of any city of the fourth class, located on the Atlantic ocean, in which there is

now or may hereafter be constituted and established a District Court, as ascertained by any State or Federal census, is more than fifty thousand, the sergeant-at-arms of the District Court of said city shall receive from the clerk of the said District Court the fees as provided for in an act entitled "An act concerning District Courts (Revision of 1898)", approved June fourteenth, one thousand eight hundred and ninety-eight, and the several supplements and acts amendatory thereto, and for his attendance upon the sessions of the said District Court shall receive an annual salary of twelve hundred dollars (\$1,200.00). Said sum to be paid semi-monthly by the city in which such court is established.

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

Approved April 9, 1921.

## CHAPTER 266.

An act to amend an act entitled "An act to amend an act entitled 'An act providing for the regulation of vehicles, animals, and pedestrians on all public roads and turnpikes, and prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations, and granting authority to towns, cities, boroughs, and townships, under certain restrictions for the adoption of ordinances further regulating vehicles, pedestrians, and animals, and designating the authorities to enforce its provisions, and defining their powers and their authority,'" approved February twenty-seventh, one thousand nine hundred and eighteen.

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

Sec. 3 (4)  
amended.

1. Subdivision four of section three be and the same is hereby amended to read as follows:

Police whistle.

(4) Any driver upon the blast of a police whistle blown by a police officer shall stop.

Sec. 3 (7)  
amended.

2. Subdivision seven of section three be and the same is hereby amended to read as follows:

Lamp on  
bicycle.

(7) All bicycles when in use on any street at night shall carry at least one lighted lamp on the front of such bicycle, which said lamp shall show a white light and shall be of such a nature and so displayed that it may be seen at least two hundred feet distant in the direction toward which the bicycle is proceeding; and if such front lamp is so arranged that it will show a red light visible for a distance of at least two hundred feet in which the bicycle is proceeding; then no red light attached to the rear of such bicycle will be necessary; *provided, however,* that where such front light

Proviso.

does not show a red light visible for a distance of at least two hundred feet in the direction from which the bicycle is proceeding, then there shall be attached to the rear of such bicycle one lighted lamp showing a red light visible for a distance of at least two hundred feet in the direction from which the bicycle is proceeding, such lamp to be attached thereto and kept lighted from one-half hour after sunset to one-half hour before sunrise.

3. This act shall take effect immediately.

Approved April 9, 1921.

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CHAPTER 267.

An Act concerning executors.

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

1. Whenever any four or more executors of any last will and testament shall qualify as such executors, it shall be lawful for a majority of such executors to bring any action in the names of a majority of such executors, upon any debt, note, bond or obligation due to the deceased person, and to recover a judgment therefor, and any such action so brought by a majority of such executors, and any such judgment so recovered in the names of such majority of such executors, shall be as valid and effectual to all intents and purposes as if such action had been brought and such judgment had been recovered in the names of all of such executors.

Action by majority of executors.

2. This act shall take effect immediately.

Approved April 9, 1921.

## CHAPTER 268.

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 one thousand eight hundred and ninety-eight)," approved June fourteenth, one thousand eight hundred and ninety-eight.

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

Section 149  
amended.

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

Failure to  
comply with  
directions of  
court.

149. When any order or decree shall be made by the Orphans' Court that any executor, administrator, guardian or trustee shall file an inventory or account, or that any executor, administrator, guardian or trustee shall give security or additional security, or shall do or perform any act or thing which the court by this act is authorized to order or direct, and such executor, administrator, guardian or trustee, having legal notice of such decree or order, shall refuse or neglect to perform or obey the same within such time as the court shall name, or if it shall be made to appear before said court by proof, on complaint duly made by any person interested, that any executor, administrator, guardian or trustee has embezzled, wasted or misapplied any part of the estate committed to his custody, or has abused the trust and confidence reposed in him, or if it shall appear before said court by proof on complaint made by any person interested that any one of several executors, administrators, guardians or trustees has failed, neglected or refused to properly perform his duties as such executor, administrator, guardian or trustee or has failed, neglected or refused to join with

Complaint.

the other executors, administrators, guardians or trustees in the administration of the estate committed to their care, and by such failure, neglect or refusal has hindered or prevented the proper administration or settlement of such estate, the said Orphans' Court may revoke the letters of such executor, administrator or guardian, and remove such executor, administrator, guardian or trustee from office.

Revocation  
of letters.

2. This act shall take effect immediately.

Approved April 9, 1921.

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CHAPTER 269.

An Act to amend an act entitled "An act to provide for the selection, location, appropriation and management of certain lands along the palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the palisades," approved March twenty-second, one thousand nine hundred.

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 provide for the selection, location, appropriation and management of certain lands along the palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the palisades," approved March twenty-second, one thousand nine hundred, as heretofore amended, is hereby further amended so as to read as follows:

Section 5  
amended.

5. Acquisition of land by purchase, condemnation or gift; improvement of park, et cetera; intention to make continuous park in conjunction with New York.— The said board of commissioners shall have power to acquire, maintain and make available for use as a public park the lands located as aforesaid, and for this pur-

Power to  
acquire lands  
for public  
parks.

pose shall have power to take, in fee or otherwise, by purchase, gift, devise or eminent domain, the said lands or any of them, and any rights, interests and easements therein; they shall also have power to acquire by purchase, gift or devise, but not by eminent domain, for the purposes herein set forth, any lands on the top of the palisades, and the rights of the State to the lands under water in front of the property of the said board of commissioners, and to receive by gift, contribution or bequest moneys, stocks, bonds, securities or other property, and to own, hold, invest or otherwise use the same; deeds of conveyance for such lands shall be made to said board of commissioners by its corporate name, and it shall be the duty of said board to preserve, care for, lay out and improve the said park, and to make rules for the use and government of the same; said board shall have power also to lay out, construct and maintain roads, pathways and boulevards upon, across and over the said park; to lay out, construct and maintain roads between and connecting any separated portions of said park, and for this purpose to acquire rights of way upon and across any intervening lands, and to lay out, construct and maintain roads and ways connecting the roads and ways within said park with other public roads outside of and adjacent thereto; and said board of commissioners shall, in laying out and maintaining said park, have regard to the laying out and maintenance of such park as may be established by the State of New York along the palisades and Hudson river, and shall lay out and maintain said park in such manner that it, together with such park as may be established by the State of New York, shall form, so far as may be, a continuous park, the intention of this act being to provide, in conjunction with the State of New York, for the establishing of a park along the front of the palisades, from Fort Lee, in this State, to the termination thereof, in New York, and thereby preserving the scenic beauty of the palisades. The said board of commissioners shall have the power to lease or sell such lands on the top of the palisades as in their

Preservation,  
improvements,  
rules, etc.

Acquire rights  
of way.

With New  
York form  
continuous  
park.

Dispose of  
unnecessary  
land.

judgment may be not necessary for park purposes, together with the right to grant easements over such lands for public improvements.

2. This act shall take effect immediately.

Approved April 9, 1921.

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CHAPTER 270.

An Act validating and confirming deed or conveyance made by any municipality to a person whose interest in the lands was divested under a sale to enforce any municipal lien.

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

1. Where any lands have been acquired by any municipality by sale under any act to enforce the payment of taxes or other municipal liens, and where such lands have heretofore been deeded to the person whose interest therein was divested by the conveyance to such municipality, and such person has paid, as the consideration for said deed, an amount equal to the full sum that would have been due to such municipality had not such sale been made, such deed shall be valid and effective to convey to such grantee the right, title and interest of the municipality in the lands described therein, as fully and completely as if such lands had been regularly sold to such person at public auction, and the act of proper municipal officers in executing and delivering such deed is hereby ratified and confirmed.

Approved April 9, 1921.

Validating  
conveyance  
made by mu-  
nicipality to  
person di-  
vested.

## CHAPTER 271.

An Act to provide for the removal of assessors.

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

Assessor not  
complying  
with law  
removable by  
court.

1. Any assessor who shall willfully or intentionally fail, neglect or refuse to comply with the constitution and laws of this State relating to the assessment and collection of taxes shall be subject to removal from office by the Supreme Court of New Jersey in the mode hereinafter prescribed.

Complaint  
filed.

2. If the State Board of Taxes and Assessment shall, after investigation, find that any assessor has willfully or intentionally failed, neglected or refused to comply with the constitution and laws of this State relating to the assessment and collection of taxes, said board may file in the office of the clerk of the Supreme Court a duly verified complaint in writing, setting forth fully the charges against such assessor. Upon the filing of such complaint, the court, or one of the judges thereof, shall, by an order to show cause, fix a time and place for hearing the matters alleged in the complaint. A copy of the complaint and order to show cause shall be served personally upon the assessor at least ten days before the time appointed for the hearing. The testimony shall be taken and the hearing conducted summarily under such regulations as the court or the judges thereof hearing the matter shall prescribe. The Attorney-General shall attend the hearing, in person or by deputy, and conduct the proceedings on behalf of the complainant.

Order to show  
cause.

Hearing.

Procedure  
to secure  
removal.

3. The Supreme Court, if it shall be satisfied that the allegations in the complaint have been sustained by the evidence, may by an order remove the assessor complained of. A certified copy of such order or removal shall be transmitted to the governing body or officer of the taxing district having power to elect or appoint a

person to fill the vacancy caused by such removal. The said governing body or officer shall appoint a successor to said assessor, who shall hold office for such time as may be fixed by law for assessors appointed to fill vacancies.

4. Any person who may have been removed from his office of assessor in the manner herein provided for, or who, to prevent such removal, may have resigned therefrom, shall not be eligible to hold such office for a period of five years from the date of such removal or resignation. Ineligibility to hold office.

5. All acts and parts of acts inconsistent herewith are hereby repealed; *provided, however,* that this act shall not be construed to repeal any of the provisions of an act entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes, approved April eighth, one thousand nine hundred and three,'" which supplement was approved April fourteenth, one thousand nine hundred and six. Repealer. Proviso.

6. This act shall take effect immediately.  
Approved April 9, 1921.

## CHAPTER 272.

An Act to amend an act entitled "An act concerning the compulsory insurance of compensation payments arising under section two of the act entitled 'An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation, and regulating procedure for the determination of liability and compensation thereunder,' approved April fourth, one thousand nine hundred and eleven," which act was approved March twenty-seventh, one thousand nine hundred and seventeen.

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

Sec. 2, Art. I,  
amended.

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

Provision for  
payment of  
obligation.

2. Any employer, except the State or a municipality, or county or school district, who by agreement, express or implied, is now or hereafter becomes subject to the provisions of section two of an act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven, and the amendments thereof and supplements thereto, hereinafter referred to as the Workmen's Compensation Act, as therein provided, shall forthwith make sufficient provision for the complete payment of any obligation which he may incur to any injured employee or his dependents under the provisions of section

two of said Workmen's Compensation Act, by one of the following methods, as hereinafter set forth in sections three and four of this act; and he shall, upon demand, by the Commissioner of Banking and Insurance, personally, or in writing, mailed to the post-office address of the employer, by registered mail, file with the Commissioner of Banking and Insurance proof on such forms as he may prescribe.

Methods.

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

Sec. 5, Art. I,  
amended.

Any employer who shall fail to provide the protection prescribed in this act shall be liable to a penalty for each violation thereof in the sum of two hundred dollars, and all costs of suit. The penalties provided by this act shall be sued for and collected by the Commissioner of Banking and Insurance, in an action upon contract, in the nature of an action for debt, in the name of the State; the first process against any person may be *capias ad respondendum*, and any person against whom any judgment shall be obtained shall be committed to the county jail until such penalty and costs are paid.

Penalty for  
failure to pro-  
vide protec-  
tion.

Collection of  
penalties.

3. This act shall take effect immediately.

Approved April 9, 1921.

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#### CHAPTER 273.

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

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

1. Section twenty-six of an act entitled "A general act relating to boroughs (Revision, 1897)," approved

Section 26  
amended.

April twenty-fourth, one thousand eight hundred and ninety-seven, be and the same is hereby further amended to read as follows:

Passage of ordinances.

Proviso.

Action by mayor.

Reading and publication.

Proviso.

When in effect.

26. All ordinances shall be submitted in writing at a regular meeting of the council and passed at a subsequent regular meeting; *provided, however, that no ordinance shall be finally passed, no officer appointed or removed, or salary fixed except by the vote of the majority of the whole council; if approved by the mayor or passed over his veto, or if not returned by him with his approval or veto within five days, Sundays excepted, after he receives it, every ordinance shall be recorded in full by the borough clerk in a proper book to be kept for that purpose. No ordinance may be finally passed unless it has been read in substantially its final form at a meeting held at least one week prior to its final passage, and shall have been published in a newspaper printed and circulating in the said borough and if there be no newspaper, printed and circulating in the said borough, then in at least one newspaper printed and circulating in the county, in which the said borough is located; provided, however, such publication shall not be necessary in case notice of intention has been published under the provisions of section nine of Article XX of the act, entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen. Such publication shall contain a notice stating the time and place, when and where the governing body will consider the final passage thereof.*

Before any ordinance shall take effect, such ordinance or its title shall be published at least once in a newspaper printed and circulating in the said borough, and if there be no newspaper printed and circulating in the said borough, then in at least one newspaper printed and circulating in the county in which the said borough is located. Said ordinance shall not take effect until so published, but in every case where such ordinance may come in question or be enforced, such publication shall be presumed to have been had until the contrary thereof be shown.

Approved April 9, 1921.

## CHAPTER 274.

An Act to amend an act entitled "An act concerning counties," approved March fourth, one thousand nine hundred and eighteen.

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

1. Section five hundred and five (505) of this act be amended to read as follows: Section 505 amended.

505. Any officer, board, commission, committee or department, or other branch of any county government, may require from any person bidding on any public contract work, advertised in accordance with this act, that such bid be accompanied by a certified check, payable to the county treasurer, or cash, in a sum equal to at least ten per centum of the bid; *provided*, the same shall in no case exceed twenty thousand dollars; *and provided, further*, that in case the bid be less than five thousand dollars the check shall be five hundred dollars, as a guarantee that if said work is awarded to him he will enter into a contract with said board for the same; *provided, further*, that it shall be the duty of the board of chosen freeholders to make the award of the contract or contracts, or to reject the same, within the period of one month from the date the bids are received, and that all proposal checks which may be delivered with any bid or bids, excepting the two lowest responsible bids, shall be returned within three days thereafter. Cash or certified check to accompany bid.

Proviso.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 9, 1921.

## CHAPTER 275.

An Act to amend an act entitled "An act to provide for the permanent improvement and maintenance of public roads in this State (Revision of 1912)," approved April fifteenth, 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 (1) shall be amended to read as follows:

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 constructed or 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 not less than

Materials  
used.

Roads  
designated.

Part payment  
by townships.

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. That any public road in this section shall be construed to include any road that may have been laid out, dedicated, or the right of way acquired, so that the same may be built, notwithstanding the same never has been built or used by the public, or any bridges or culverts erected thereon.

2. Section three (3) shall be amended to read as follows:

Section 3  
amended.

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 treasurer equal to at least ten per centum of the bid; *provided*, the same shall in no case exceed twenty thousand dollars; *and provided, further*, that in case the bid be less than five thousand dollars, the check shall be five hundred 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 free-

Bids invited.

Advertisements.

Guarantee of bidder.

Proviso.

Proviso.

Contract.

holders 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. *Provided, further,* that it shall be the duty of the board of chosen freeholders to make the award of the contract or contracts, or to reject the same, within the period of one month from the date the bids are received, and that all proposal checks which may be delivered with any bid or bids, excepting the two lowest responsible bids, shall be returned within three days thereafter. 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 the 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 nowise operate to prevent the 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 payment for work done under any contract awarded under this act shall be set forth in said contract; *provided, however,* that whenever any contractor has completed his contract for work to be done under this act, no percentage of contract price shall be retained but the contractor shall enter into a bond in a sum amounting to five per centum of the contract price, with any surety company authorized to do business in the State of New Jersey and which has the approval of the Attorney-General, to the board of chosen freeholders, which bond shall remain in full force and effect for the period of one year and shall provide that the contractor can be held responsible for poor workmanship done or poor material furnished un-

Proviso.

Approval of contract and bond.

Proviso.

Proviso.

Bond to cover responsibility for one year.

der such contract, but he shall not be responsible for acts or causes which are beyond or outside of his control.

3. Section four (4) shall be amended to read as follows:

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, bridges, culverts, and 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 firebreak.

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.

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.

The board of chosen freeholders may, after the execution and approval by the State Commissioner of Public 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 case of contracts let after public advertisement.

Section 4  
amended.

What included  
in road im-  
provement.

Bridges and  
culverts.

Included in  
costs.

Supplemental  
contracts.

Proviso.

Proviso.

State's share of cost.	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.
Section 6 amended.	4. Section six (6) shall be amended to read as follows:
Road inspectors.	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 to be determined by the State Highway Commission, and such proper itemized and reported expenses as said commission may allow. Such staff may be removed in accordance with the provisions of the Civil Service law, or assigned to any work appertaining to roads which the commissioner may elect. If, in the judgment of the Commissioner of Public Roads, temporary or seasonal inspectors are required, they may be appointed by the said commissioner at a salary to be fixed by the State Highway Commission. Said inspectors shall be appointed subject to the provisions of the Civil Service law of this State, from among those certified by the Civil Service Commission. The said inspectors may be graded according to the character of the work to be performed by them and compensated accordingly. In addition to their duties as road inspector, such persons may be sent to points within or without the State of New Jersey, for the inspection and supervision of road and bridge materials in course of production or manufacture for use in said State. 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.
Removal.	
Temporary inspectors.	
Additional duties.	
Payments.	
Section 7 amended.	5. Section seven (7) shall be amended to read as follows:
Partial payments on contracts.	7. Where any contract provides for partial payments based upon the amount of work done, it shall be the duty of the State Highway Engineer or his authorized agent, in conjunction with the county engineer, as each

payment becomes due, to present to the board of chosen freeholders a certificate, signed by said State and county officials, 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 State Highway Engineer and county engineer shall have prepared 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.

Contracts may provide for partial payments at least once each month or from time to time, as the work progresses, on work of construction or maintenance, but not in excess of ninety per centum of the value of materials in place and of the work done.

When payments made.

Contracts may also provide for partial payments at least once in each month, or from time to time, as the work progresses, on all materials placed upon the site which are suitable for the use and execution of the contract, but such partial payments shall not be in excess of eighty per centum of the value of such materials, providing the contractor furnishes releases of liens for all material furnished at the time each estimate of work is submitted for payment.

Partial payments on materials.

6. Section twelve (12) shall be amended to read as follows:

Section 12 amended.

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. He shall give bond

County supervisor and engineer.

Oath.

Term.

Bonded.

Compensation.	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.
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. 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 obstruction, 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 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 treasurer, 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.
New engineer or supervisor.	
Money for maintenance of road.	
Repairs, etc.	
Section 14 amended.	7. Section fourteen (14) shall be amended to read as follows:
Improvement by individual property holders.	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 com-

petent 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 engineer, 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 engineer shall be paid a legitimate fee for supervising said work, to be paid by said owners.

Road, if accepted, deemed county road.

Change of location.

Engineer's fee.

8. Section nineteen (19) shall be amended to read as follows:

Section 19 amended.

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 treasurer, 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

Extent of act; cities excepted.

Powers and duties of local officials.

Provision for funds.

Control of roads so built.	<p>freeholders may do under this act, it being the expressed intention of this section to confer upon townships, 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.</p>
Section 21 amended.	<p>9. Section twenty-one (21) shall be amended to read as follows:</p>
Agreement binding.	<p>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 at least 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.</p>
Section 25 amended.	<p>10. Section twenty-five (25) shall be amended to read as follows:</p>
Name of bonds.	<p>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."</p>
Rate.	<p>Such bonds shall be of such denomination, bear such rate of interest, not exceeding five (5%) per centum 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.</p>
Time.	
Details of bond issue.	<p>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 treasurer of the county, and in the case of a</p>

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 bond 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.

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 substantially 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 said installment, in addition to the annual tax during the life of the bonds to provide for the payment of the interest accruing thereon.

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

Approved April 9, 1921.

Provision for  
interest and  
maturity.

Proviso.

Repealer.

## CHAPTER 276.

An Act to enable cities of the third and fourth class to regulate and limit the height and bulk of buildings, to regulate and determine the area of yards, courts and other open spaces, and to regulate and restrict the location of trades and industries.

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

Building  
regulations.

Districts.

Uniformity.

Security  
sought.

Local con-  
siderations.

Specific  
designs.

1. The common council or governing commission of cities of the third and fourth class shall have power to regulate and limit the height and bulk of buildings hereafter erected, and to regulate and determine the area of yards, courts and other open spaces. The common council or governing commission may divide the city into districts of such number, shape and area as it may deem best suited to carry out the purposes of this section. The regulations as to the height and bulk of buildings and the area of yards, courts and other open spaces shall be uniform for each class of buildings throughout each district. The regulations in one or more districts may differ from those in other districts. Such regulations shall be designed to secure safety from fire and other dangers and to promote the public health and welfare, including provision for adequate light, air and convenience of access. The common council or governing commission shall pay reasonable regard to the character of buildings erected in each district, the value of the land and the use to which it may be put, to the end that such regulations may promote public health, safety and welfare and the most desirable use for which the land of each district may be adapted, and may tend to conserve the value of the buildings and enhance the value of land throughout the city.

2. The common council or governing commission of cities of the third and fourth class shall also have the

power to regulate and restrict the location of buildings designed for specified uses, as well as the location of trades and industries, and may divide the city into districts of such number, shape and area as it may deem best suited to carry out the purposes of this section. For each such districts regulations may be imposed designating the uses for which buildings may not be erected or altered, and designating the trades and industries that shall be excluded or subjected to special regulations. Such regulations shall be designed to promote the public health, safety and general welfare. The common council or governing commission shall give reasonable consideration, among other things, to the character of the district, its peculiar suitability for particular uses, the conservation of property values, and the direction of building development in accord with a well-considered plan.

District  
regulations.

Objects  
sought.

Character  
of neighbor-  
hood.

Commission  
appointed.

3. The common council or governing commission of cities of the third and fourth class accepting the provisions of this act shall appoint a commission to be known as "Commission on Building Districts and Restrictions," to consist of the chief engineer of the board or body having control of the streets and highways, the superintendent of buildings, or such officer of said city as exercises the duties of a superintendent of buildings, the officer of said city in charge of the inspection of combustibles and fire risks, and the members of the city plan commission if such commission exists. In any city of this State which has not appointed a city plan commission, the mayor, with the advice and consent of the common council or governing commission, shall then appoint six members-at-large who shall be residents of the municipality. Such commission shall serve without pay and shall recommend the boundaries of districts and appropriate regulations and restrictions to be enforced therein. Such commission shall make a tentative report and hold hearings thereon at such times and places and upon such notice as said commission shall determine before submitting its final report to the common council or governing commission. Said common council or governing commission shall not deter-

Members at  
large.

Hearings and  
reports.

Boundaries  
fixed.

- mine the boundaries of any district nor impose any regulation or restriction until after the final report of a commission so appointed. After such final report said common council or governing commission shall afford persons interested an opportunity to be heard at a time and place to be specified in a notice of hearing to be published for five days in two newspapers of said city.
- Opportunity for hearing.
- Changes allowable—method of.
4. The common council or governing commission may, from time to time, after public notice and hearing, amend, supplement or change said regulations or districts. Such proposed amendment, supplement or change, however, must first be referred to the commission on building districts and restrictions for consideration and report before final action shall be taken thereon by said common council or governing commission.
- Protests.
- But in case a protest against a proposed amendment, supplement or change be presented, duly signed and acknowledged by the owners of twenty per centum or more of the frontage of the property proposed to be altered, or by the owners of twenty per centum of the frontage upon the street immediately in the rear thereof, or by the owners of twenty per centum of the frontage directly opposite the property proposed to be altered, such amendment shall not be passed except by a three-quarters vote of the common council or governing commission.
- Clerical assistants.
5. The experts, clerks and secretary of the city plan commission, in cities where such commission exists, shall act in similar capacities for the commission on building districts and restrictions. Such expenses as said commission on building districts and restrictions may lawfully incur under the powers hereby granted, including the necessary disbursements incurred by its members in the performance of their duties as members of said commission, shall be paid out of the amount appropriated for the city plan commission by the board or body having charge of the finances of said city; *provided*, that such expenditures are duly approved by the city plan commission; *and provided, further*, that the
- Expenses.
- Proviso.
- Proviso.

total amount so expended in any one year shall not exceed the appropriation for such year.

6. In any city of the third or fourth class in this State which has not appointed a city plan commission, it shall be lawful for the board or body having charge of the finances of said city to appropriate any amount not exceeding five thousand dollars in any year that such commission shall remain in existence for the expenses of such commission on building districts and restrictions, and the moneys for said commission shall be raised by annual tax upon real and personal property as other taxes are raised in and for such city; *provided*, *however*, that for the fiscal year in which this act becomes effective, such moneys may be raised by said board or body having charge of the finances of such city, by appropriating for that purpose any moneys in the treasury by such city not otherwise appropriated, or by issuing and selling temporary loan bonds or certificates of indebtedness; *provided*, that the payment of such bonds or certificates, with interest, shall be provided for in the next tax levy.

7. This act shall not be construed so as to limit or abridge any right, power or authority conferred or vested in city plan commissions in cities of this State.

8. Wherever the provisions of any ordinance or regulation adopted by the common council or governing commission under the provisions of this act impose requirements for lower height of buildings or a less percentage of lot that may be occupied, or require wider or larger courts or deeper yards than are imposed or required by existing provision of law or ordinance, the provision of such local ordinance or regulations adopted under the provisions of this act shall govern. Where, however, the provisions of the New Jersey tenement house law, the building code or other ordinance or regulation of any city of the third or fourth class impose requirements for lower height of building, or less percentage of lot that may be occupied, or require wider or larger courts or deeper yards than are required by any ordinance or regulation which may be adopted by the common council or governing commission under the

Appropriation

Proviso.

Proviso.

Act construed.

When this act governs.

When tenement house act governs.

provision of this act, the provision of said New Jersey tenement house law or said building code or other ordinance or regulation shall govern.

Approved April 12, 1921.

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CHAPTER 277.

An Act ceding to the United States of America jurisdiction in and over the lands heretofore or hereafter acquired by them for ordnance purposes near Metuchen, Middlesex county.

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

Land ceded  
for Raritan  
Arsenal.

1. There is hereby transferred and ceded to the United States of America jurisdiction in and over so much of the territory within this State as is included within all such lands as heretofore have been acquired by them for use for ordnance purposes near Metuchen, in the townships of Woodbridge and Raritan, county of Middlesex, and now occupied as an ordnance depot known as the Raritan arsenal, and in and over all other lands that may hereafter be acquired by them for like use in the establishment, completion or extension of said ordnance depot, but the jurisdiction hereby ceded shall continue no longer than the said United States shall own said land or lands.

Jurisdiction.

2. The said jurisdiction is transferred and ceded upon the express condition that the State of New Jersey shall retain concurrent jurisdiction with the United States in and over the said land or lands, so far as that all civil process in all cases, and such criminal or other process as may issue under the laws or authority of the State of New Jersey against any person or persons charged with crimes or misdemeanors committed within said State, may be executed therein in the same way and

manner as if said consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States.

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

4. This act shall take effect immediately.

Approved April 11, 1921.

Title.

Tax exemptions.

#### CHAPTER 278.

An Act to amend an act entitled "An act to provide for the election of a county collector, and steward of the county poor house, and of county auditor, in the county of Burlington," passed March twenty-fifth, one thousand eight hundred and seventy-two.

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

1. At the first annual election for members of the General Assembly of this State, after the passage of this act, and at such election every third year thereafter, there shall be chosen, by the qualified electors of said county of Burlington, one person to be the steward of the poor house and the farm attached thereto, who shall hold his respective office for the term of three years, and one person to be county auditor in said county, who shall hold his office for three years; the electors of said

Section 1 amended.

Election of county steward and auditor.

county shall vote for said county auditor and county steward upon the same ballot with members of the general assembly, in the same manner as the elections for the office of sheriff now are and may be required by law.

Section 11  
amended.

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

Salary of  
steward.

11. The steward of the poor house of the county of Burlington hereafter to be elected shall be entitled to receive for his services the sum of fifteen hundred dollars per annum, to be paid as the salaries of other county officers are paid, in lieu of all other compensation for such services.

3. This act shall take effect immediately.

Approved April 12, 1921.

#### CHAPTER 279.

An Act to amend an act entitled "An act to amend an act entitled 'An act to provide for the election of a county collector, and steward of the county poor house, and of county auditor, in the county of Burlington,' passed March twenty-fifth, one thousand eight hundred and seventy-two," which amendment was approved March fourteenth, one thousand nine hundred and seventeen.

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

Section 1  
amended.

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

Election of  
county steward and auditor.

1. At the first annual election for members of the general assembly of this State after the passage of this act, and at such election every third year thereafter, there shall be chosen by the qualified electors of said

county of Burlington one person to be the steward of the poor house and the farm attached thereto, who shall hold his respective office for the term of three years, and one person to be county auditor in said county, who shall hold his office for three years; the electors of said county shall vote for said county auditor and county steward upon the same ballot with members of the general assembly, in the same manner as the elections for the office of sheriff now are and may be required by law.

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

Section 18  
amended.

18. The said auditor of the county of Burlington, hereafter to be elected, shall be entitled to receive for his services the sum of eighteen hundred dollars per annum, to be paid as the salaries of other county officers are paid, and shall not be entitled to have or receive any other fees or compensation whatever.

Salary of  
county audi-  
tor.

3. This act shall take effect immediately.

Approved April 12, 1921.

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#### CHAPTER 280.

An Act providing that factories, workshops or places for the manufacture of materials or goods, hereafter established within the watershed of streams above the point at which public supplies of potable water are taken, shall obtain from the Department of Health of the State of New Jersey a permit to locate or establish such factories, workshops or places.

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

1. No person or corporation shall hereafter locate or establish any factory, workshop, or place for the manufacture of materials or goods, on any watershed in this

Permit to  
erect factory  
on potable  
watershed.

State above the point at which any public supply of potable water is taken, unless the person or corporation responsible for the operation of such factory, workshop, or place for the manufacture of materials or goods, shall have obtained from the Department of Health of the State of New Jersey a written permit granting permission to so locate or establish such factory, workshop, or place for the manufacture of materials or goods.

Application  
for permit.

2. The application for permission to locate or establish such factory, workshop, or place for the manufacture of materials or goods, on any watershed shall be made in writing to the Department of Health of the State of New Jersey by the person or corporation desiring to establish and operate the same, on forms to be supplied by said department. Said department shall adopt rules and regulations setting forth the information required to be stated in such application, and such information shall be submitted to said department with all applications for permits, in order that said department may be fully informed as to the character and nature of any waste liquids or materials which may affect the quality of streams used as sources of water supply.

Regulations.

Penalty for  
violations.

3. Any person or corporation violating any of the provisions of this act shall be liable to a penalty of not less than one hundred dollars nor more than five hundred dollars, to be recovered in an action of debt by the local board of health within the territorial jurisdiction of which such factory, workshop or place for the manufacture of materials or goods is located, or by the Department of Health of the State of New Jersey, and each week that such factory, workshop or place for the manufacture of materials or goods shall operate without a permit as above described shall constitute a separate offense.

Injunction  
may issue.

4. If any person or corporation shall violate any of the provisions of this act, it shall be lawful for the Department of Health of the State of New Jersey, instead of suing for the recovery of the penalty prescribed in this act, to file a bill in the Court of Chancery, in the name of the State, on the relation of said department,

for an injunction to prohibit the further violation of this act, and every such action shall proceed in the Court of Chancery according to the rules and practice of bills filed in the name of the Attorney-General on the relation of individuals, and cases of emergency shall have precedence over other litigation pending at the time in the Court of Chancery, and may be heard on final hearing within such time and on such notice as the Chancellor shall direct.

5. Nothing herein contained shall operate to relieve any person or corporation from any suit or action on behalf of any person aggrieved or damaged by the location or operation of any such factory, workshop or place for the manufacture of materials or goods. Liability for damages.

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

7. This act shall take effect immediately.

Approved April 11, 1921.

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#### CHAPTER 281.

A Supplement to an act entitled "An act to establish a State Highway Department and to define its powers and duties; and vesting therein all the powers and duties now devolved by law upon the Commissioner of Public Roads, and the existing State Highway Commission and Highway Commission," approved March thirteenth, one thousand nine hundred and seventeen.

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

1. All expenditures from the State Road Fund for the purposes of State aid to the counties or other municipalities for the improvement, maintenance or repair of highways or for the building, maintenance or repair Annual programs for roads.

- of bridges shall be in accordance with annual work programs prepared by the governing bodies of said counties or other municipalities and filed with and approved by the State Highway Commission, said work programs shall be submitted on blanks prepared by the State Highway Commission and shall differentiate between State Aid for Highway Construction, State Aid for Highway Maintenance, State Aid for Bridge Construction and State Aid for Bridge Maintenance.
- The State Highway Commission may fix a date on or before which said counties or municipalities shall file said annual work program; *provided*, that, in case of emergencies which were not anticipated, amendments to said work program may at any time be filed and approved. Prior to approving of the same and extending State aid to the projects set forth therein the State Highway Commission may hold hearings with the governing bodies of the counties or municipalities concerned with a view to recommending such additions to, removals from or changes in said work program as will best enable said counties and municipalities to develop the highways under their jurisdiction in co-operation and co-ordination with the State Highway System and with each other. The State Highway Commission shall have power to deny the extension of State aid to such projects which in its judgment do not comply with this requirement.
2. All acts and parts of acts inconsistent herewith be and the same are hereby repealed.
3. This act shall take effect January first, one thousand nine hundred and twenty-two.
- Approved April 12, 1921.

Approval.

Work differentiated.

Date for report.

Proviso.

Hearings on proposed work.

Repealer.

Act effective.

## CHAPTER 282.

An Act to amend and supplementary to an act entitled "An act concerning the charitable, hospital, relief, training, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State, which are supported in whole or in part from county, municipal or State funds," approved February twenty-eighth, one thousand nine hundred and eighteen, as said title of said act was amended by act approved April eleventh, one thousand nine hundred and nineteen.

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

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

Section 112 amended.

112. The State board shall appoint for each of the institutions or noninstitutional agencies included in the provisions of sections one hundred and seventeen and one hundred and eighteen of this act, or for such groups or classes thereof as it may determine, a board of managers which shall be known as "The Board of Managers," naming the institution or group or class of institutions for which the board is appointed. Whenever the Legislature authorizes the establishment of additional State institutions or authorizes the State board to assume jurisdiction over any institution in the manner provided by the act of which this act is an amendment or authorizes the acquisition of a site or sites for a State institution as defined by sections one hundred and seventeen and one hundred and eighteen of an act of which this act is a amendment, the State board may appoint a board of managers as herein provided, for any such institution or for any group or class of such

Institutional boards of managers.

Additional boards.

Appointments.

institutions, or may in its discretion authorize or designate any existing board of managers to assume jurisdiction thereover in accordance with the provisions of the act of which this act is an amendment. The name or names of the boards in charge of the noninstitutional agencies shall be determined by the State board. These boards of managers will be appointed by the State board, with the approval of the Governor, from the residents of the State at large, without respect to political affiliation or belief. These boards shall consist of not less than five or more than seven members. Upon the board or boards which succeed, in accordance with the powers conferred upon the State board by this act, to the management of any of the following institutions: The Hospitals for the insane, the Village for epileptics, the Sanatorium for Tuberculosis Diseases, the Home for Disabled Soldiers, Sailors, Marines and their Wives and Widows, the Amelioration of the Condition of the Blind, the State Institution for Feeble-Minded and the State Home for Boys, at least two of the members shall be women. Likewise, upon the board or boards succeeding to the management of the Women's Reformatory, the State Home for Girls, the Care of Dependent Children, at least a majority of the members shall be women. The department commander, Department of New Jersey, Grand Army of the Republic, shall be ex-officio a member of the board of managers of the New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and their Wives and Widows and of the board of managers of the New Jersey Memorial Home for Disabled Soldiers. The terms of members of each board of managers appointed after the passage of this act to take office on the first day of August, in the year one thousand nine hundred and twenty-one, shall be designated to be for periods ending respectively on the thirtieth day of June in each of the following years; the terms of two members of each board to expire in the year one thousand nine hundred and twenty-two, the terms of two members to expire in the year one thousand nine hundred and twenty-three, the terms of two members of boards having six or more members

Women on  
boards.

Terms of  
members.

to expire in the year one thousand nine hundred and twenty-four; if any board has but five members, the term of one member only to expire in the year one thousand nine hundred and twenty-four, and the term of one member only of boards having seven members to expire in the year one thousand nine hundred and twenty-five. The successors to the members whose terms expire on the thirtieth day of June, one thousand nine hundred and twenty-two, the successors of members whose terms expire on the thirtieth day of June, one thousand nine hundred and twenty-three, the successor to the fifth member of boards having five members only whose term expires on the thirtieth day of June, one thousand nine hundred and twenty-four, the successors of members of boards having six members whose terms expire on the thirtieth day of June, one thousand nine hundred and twenty-four, and the successor of the seventh member of boards of managers having seven members whose term expires on the thirtieth day of June, one thousand nine hundred and twenty-five, shall be appointed for a term of three years, commencing on the first day of July and terminating on the thirtieth day of June of the third year thereafter. The members of new or additional boards of managers shall, at the time of their appointment, be divided into groups in like manner, so that the terms of two members of each such new board shall expire on the thirtieth day of June of the year next succeeding their appointment; the terms of two additional members of each such new board shall expire on the thirtieth day of June of the second year thereafter; in boards of five members, the term of the fifth member shall expire on the thirtieth day of June of the third year thereafter; in the case of boards having six members, the terms of two members shall expire on the thirtieth day of June of the third year thereafter, and in the case of boards having seven members, the term of the seventh member shall expire on the thirtieth day of June of the fourth year thereafter. The successors of members of any such new boards shall be appointed for a term of three years, commencing on the first day of July and terminating on the thirtieth day of

Terms of  
successors.

New mem-  
bers grouped

Terms of  
successors of  
new boards.

Vacancies.	June of the third year thereafter. Vacancies shall be filled by the State board for the balance of the unexpired term only. The members of such boards shall not receive any compensation for their services, but shall be reimbursed for their actual expenditures incurred in the performance of their duties. They shall be subject to removal by the State board at any time, for good and sufficient cause.
Expenses met.	
Additions to section 114.	2. Section one hundred and fourteen of the act of which this act is an amendment is hereby supplemented by adding thereto sub-sections 114a, 114b, and 114c.
Appointment of advisory board.	114a. The State board may, in its discretion, appoint from among the architects licensed to practice in this State, from among qualified engineers residing in this State, and from among other residents of the State who are well qualified by training or experience in designing and constructing buildings or other public works, a group of architects, engineers and qualified builders which shall be known as the Advisory Board on Plans, Designs and Construction. The State board shall, in its discretion, determine the number of persons who shall compose this advisory board; <i>provided, however,</i> that the total number shall in no case be less than six nor more than fifteen; <i>and provided further,</i> that two of them shall be architects licensed to practice in this State and that two of said members be qualified and experienced engineers.
Number.	
Proviso.	
Proviso.	
Terms of appointees.	114b. Each member of said advisory board when appointed shall be appointed by the State board for a term of two years. Vacancies shall be filled by the board for the period of the unexpired term only. The members of such advisory board shall not receive any compensation for their services but shall be reimbursed for the actual expenditures incurred in the performance of their duties. They shall be subject to removal by the State board at any time for good and sufficient cause.
Expenses met.	
Removal.	
Duties of advisory board.	114c. It shall be the duty of this advisory board when so requested to advise with the commissioner and with the State board on all matters pertaining to the planning and construction of all buildings or public works planned

or built in accordance with the provisions of this act as amended and supplemented.

3. This act shall take effect immediately.

Approved April 11, 1921.

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CHAPTER 283.

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 surrogate" (Revision eighteen hundred and ninety-eight).

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

1. Where any person not resident in this State at the time of his death, has or shall hereafter die seized of lands or real estate situate in this State, leaving a last will and testament executed in due form, to pass title to real estate situate in this State, which will has not been admitted to probate, and for which no proceedings for probate are pending in the State, Territory, District or Kingdom, of which he was resident at the time of his death; such will may be admitted to probate before the ordinary of this State, or before the Orphans' Court, of any county in this State, in which lands or real estate of which the decedent died seized, are located; and letters testamentary or of administration with the will annexed thereon; *provided*, that application for such probate shall not be made within three months after the death of the decedent; *and provided, also*, that, at the time of filing a petition for probate in this State, said will has not been admitted to probate in the State, Territory, District or Kingdom, in which the decedent was resident at the time of his death; and no proceeding is there pending for the probate of said will.

Probate of  
will of non-  
resident.

Proviso.

Proviso.

Application  
for probate.

2. The application for the probate of said will in this State shall be by petition, duly verified, setting forth the name and date of the death of the decedent, and the place of his residence at the time of his death, and that he died seized of lands or real estate, situated in this State; and that the will has not been admitted to probate at the place in which decedent was resident at the time of his death; and that no proceedings are there pending for the probate of the will, and stating the names and addresses of all the parties in interest, so far as the petitioner is able to ascertain; and there shall be annexed to said petition a copy of the will.

Hearing by  
court.

3. On filing the petition for the probate of the will of a non-resident decedent under this act, the ordinary, or Orphans' Court shall make an order fixing the time for the hearing on the said petition, notice of which shall be served upon all of the parties in interest, either personally or by leaving the same at their usual place of abode, at least ten days before the hearing of the application; or, if any of the parties in interest cannot be found within this State to be served with such notice, then, by publication of notice of such application, once a week for four weeks in such newspaper or newspapers as the ordinary or Orphans' Court shall by order direct, and by mailing a copy of the notice at least twenty days before the hearing, to each of such parties in interest not found within this State.

Notice to  
parties in in-  
terest.

4. This act shall take effect immediately.  
Approved April 12, 1921.

## CHAPTER 284.

An Act to amend an act entitled "An act to supplement '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 one of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 1 amended.

## XV. SHARES OF STOCK WITHOUT STATED PAR VALUE.

120. Every corporation organized or hereafter to be organized under this act may provide for the issuance of one or more classes of stock without any nominal or par value of such number of shares, with such designations, preferences, if any, and voting powers or restrictions or qualifications thereof as shall be stated and expressed in the certificate of incorporation or in any certificate of amendment thereof. In any case in which the law requires to be stated in any certificate or paper the amount of capital authorized, issued, outstanding or with which the corporation will commence business, the par value of shares or the amount of the subscriptions of the incorporators thereof, there shall be stated in respect of such nominal or non-par shares the number of such shares authorized, issued, outstanding or with which the corporation will commence business, that such shares are without par value, or the number of such shares subscribed for by the incorporators, as the case may be, and in cases where an original or amended certificate of incorporation provides only for shares issued without nominal or par value, such statement Stock without par value.

Voting powers.

What statement to show.

shall be in lieu of all requirements relating to the minimum amount of authorized capital stock and the minimum amount with which business may begin.

Changing  
stock.

The power to increase or decrease the stock as in the act to which this is a supplement is provided shall apply to all or any of the classes of stock, and any and all classes of stock without nominal or par value may be issued without regard to the amount outstanding of any other class of stock. Any preferred stock without any nominal or par value may, if desired, be made subject to redemption at any time after three years from the issue thereof at a price not less than the sum such corporation shall receive for said stock upon the issuance thereof, and the corporation shall be bound to pay thereon dividends at such rates and on such conditions as shall be stated in the original or amended certificate of incorporation, payable quarterly, half-yearly or yearly, and such dividends may be made payable before any dividend shall be set apart or paid on the common stock or stocks, and such dividends may be made cumulative; *provided*, the corporation shall set apart or pay the said dividends to the holders of non-cumulative preferred stock or stocks before any dividend shall be paid on the common stock or stocks.

Redemption  
of preferred  
stock.

Dividends.

Proviso.

Sale of  
shares.

121. Such corporation may issue and may sell its authorized shares without nominal or par value, from time to time, for such consideration as may be prescribed in the certificate of incorporation or any amendment thereof, or if so provided in the certificate of incorporation, as from time to time may be fixed by the board of directors, or if no such provision is made in the certificate of incorporation, then with the consent of two-thirds of each class of the stockholders having voting powers given at a meeting called for that purpose. Such meeting shall be held on such notice as the by-laws provide, and in the absence of such provision upon ten days' notice given personally or by mail. Any and all shares without nominal or par value issued or permitted by this act shall be deemed fully paid and non-assessable, and the holder of such shares shall not be

Meeting to  
fix value.

liable to the corporation or its creditors in respect thereof.

122. Every share of stock without nominal or par value shall be equal to every other share of such stock of the same class, and shall rank, as respects any other class or classes of stock, according to the preferences given each and every class of stock under the terms of this act. Every certificate for such shares without nominal or par value shall have plainly written or printed upon its face the number of such shares which it represents, and shall state briefly the rights and preferences, if any, given to such shares, and no such certificate shall express any nominal or par value of such shares.

Equality of shares.

123. The privileges and powers conferred by this act shall be deemed to be, in addition to any and all powers and authority conferred by any other law or laws, and not in restriction or limitation of any of the powers now permitted to corporations of this State, and except as herein otherwise expressly provided, all of the provisions of the act to which this act is a supplement, and the acts amendatory thereof and supplemental thereto shall be applicable to any and all stock issued by virtue hereof.

Privileges conferred deemed additional.

2. All acts and parts of acts in conflict herewith are hereby repealed.

Repealer.

3. This act shall take effect immediately.

Approved April 11, 1921.

## CHAPTER 285.

### An Act concerning roads.

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

1. Whenever any road is being constructed, reconstructed or undergoing extraordinary repairs under

Detour roads.

authority and direction of the board of chosen freeholders of any county, or the State Highway Commission of this State, or by them jointly, and by reason of said construction, reconstruction or extraordinary repairs, said road is closed to or rendered unfit for public travel, it shall be lawful for the board of chosen freeholders or the State Highway Commission under whose authority or supervision said construction, reconstruction or extraordinary repairs are being made, to provide a detour or detours over any other road or roads in the county where the work is being done, in case the work is being done by the board of chosen freeholders, and over any other road or roads in this State in case the work is being done by the State Highway Commission.

Placed in  
condition  
for travel.

2. In providing a detour or detours, the board of chosen freeholders or the State Highway Commission shall have power and authority to expend money on roads used as a detour or detours so as to place them in fit condition for public travel, provided they first obtain consent from the governing body having control and supervision of the road or roads used for a detour or detours, to make such repairs.

Procedure  
to establish  
detours.

3. From and after the passage of this act, whenever any road is to be constructed, reconstructed or have extraordinary repairs made thereto that will necessitate the providing of a detour or detours over other roads, it shall be lawful for the board of chosen freeholders or the State Highway Commission to pass a resolution setting forth the fact that a detour or detours is or are necessary, naming the road or roads to be used as a detour or detours during the period of construction, reconstruction or extraordinary repairs, and also setting forth the amount of money necessary to put said detour or detours in proper condition for travel and to maintain the same during the period said detour or detours is or are rendered necessary by reason of said improvement; and the cost of repairing and maintaining said detour or detours during the period aforesaid may be included in and considered as a part of the cost of construction, reconstruction or extraordinary repairs, and bonds or other obligations may be issued for the pay-

ment of the same in the same manner as bonds or other obligations are issued for the construction, reconstruction or the making of extraordinary repairs, and may be included in the same issue and as a part thereof.

4. That the repair of roads used as a detour or detours and their maintenance during the period aforesaid may be included in the original contract for construction, reconstruction or extraordinary repairs, or may be let by separate contract, or the roads so used may be repaired and maintained the same as State and county roads are now repaired and maintained, as the body authorizing the work may elect.

Repair of  
detour roads.

5. That the State Highway Commission may contribute to any county of this State for the purpose aforesaid, any money that may come into its hands to be used for construction, reconstruction or extraordinary repairs, and may certify and set forth in writing to the board of chosen freeholders or any county the amount of money it will give for the purpose of providing and maintaining detours as aforesaid, and the manner and method in which said sum so contributed shall be used, and may formulate such rules and regulations for the expenditure of the money aforesaid as it may deem necessary, and any money so contributed as aforesaid shall be used only for the purpose for which it is contributed, and expended under the authority and direction of the board of chosen freeholders of the county to which the contribution is made.

State's con-  
tribution for  
detour roads.

6. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 286.

An Act authorizing the governing body of any municipality to reappropriate to the board or commission or body, having charge of the public library of such municipality, moneys received from fines.

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

Fines appropriated for library purposes.

1. It shall be lawful for the governing body of any municipality to reappropriate to the board or body, having charge of the free public library of such municipality, all moneys received for fines. Such moneys when reappropriated shall be used by the board or body, having charge of the free public library of such municipality, for library purposes, and shall be in addition to moneys appropriated by the municipality for library purposes.

2. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 287.

An Act making an appropriation to the State Board of Commerce and Navigation for the closing of Turtle Gut inlet in the county of Cape May.

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

Appropriation to close inlet.

1. There is hereby appropriated for the purpose of enabling the State Board of Commerce and Navigation to close Turtle Gut inlet, situated in the county of Cape May, the sum of ten thousand dollars. Such sum shall

be available when included in any annual or supplemental appropriation bill.

2. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 288.

An Act to amend an act entitled "An act to regulate the practice of chiropody, to license chiropodists and to punish persons violating the provisions thereof," approved April thirteenth, one thousand nine hundred and eight, as amended by chapter 169 of the Laws of 1915, approved April sixth, one thousand nine hundred and fifteen.

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

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

1. The State Board of Medical Examiners as established by an act "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, and the several supplements thereto and acts amendatory thereof, shall, in addition to the examinations therein provided for, hold meetings for examination of all applicants under this act for a license to practice chiropody in this State, at the capitol building of this State on the third Tuesday of June and October of each year, and at such other times and places as the board may deem expedient; said board shall keep an official record of all its meetings, and an official register of all applicants for a license to practice chiropody in this State; said register shall show the

Section 1  
amended.

State medical  
board to ex-  
amine appli-  
cants to prac-  
tice chiropody.

Records to be  
kept.

Education  
shown.

name, age, nativity, last and intended place of residence of each candidate, the time he or she has spent in obtaining a competent academic education, and in chiropody, in a school teaching chiropody, and the names and location of all chiropody schools or examining boards which have granted said applicant any degree or certificate of attendance upon lectures upon chiropody or State examinations; said register shall also show whether said applicant was examined, licensed or rejected under this act, and said register shall be prima facie evidence of all matters therein contained.

Section 2  
amended.

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

Application  
for examina-  
tion.

2. All persons hereafter desiring to commence the practice of chiropody in this State shall apply to said board for a license so to do, applicants 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 is to be examined, a written application on a form or forms provided by said board, together with satisfactory proof that the applicant is more than twenty-one years of age, is of good moral character and that he or she has received a preliminary education equal to that furnished by the common schools of this State.

Qualifications.

Certificate of  
studies re-  
quired after  
1921;

A. No person who has graduated after the first day of July, one thousand and nine hundred and twenty-one, shall be admitted to examination for license to practice chiropody, unless he or she shall present to said board a certificate from the Commissioner of Education of this State, showing that prior to commencing his or her study in a school of chiropody he or she had obtained an academic education consisting of a three years' course of study in an approved public or private high school or the equivalent thereof.

After 1922.

B. No person who was graduated after the first day of July, one thousand and nine hundred and twenty-two, shall be admitted to examination for license to practice chiropody, unless he or she shall present to said board a certificate from the Commissioner of Education of

this State, showing that prior to commencing his or her study in a school of chiropody 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.

C. Every applicant for admission to examination for license to practice chiropody, shall, in addition to the above requirements, prove to said board that he or she has received a diploma conferring the degree of doctor surgeon chiropodist from some legally incorporated school of chiropody in the United States, or a diploma conferring the full right to practice chiropody in some foreign country. Any member of the board may inquire of any applicant for examination concerning his qualifications, and may take testimony of anyone in regard thereto, under oath, which he is hereby empowered to administer. Each applicant shall pay to the secretary of said board a fee of twenty-five dollars at the time of filing said application and present himself or herself for examination at the first regular meeting of the board after such application; such fee shall not be refunded, unless from sickness or other good cause appearing to the satisfaction of the board such applicant was prevented from attending and completing such examination; further or subsequent examinations under such application may be given to applicants, in the discretion of the board, without payment of additional fee.

Diploma  
required.

Fee for  
examination.

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

Section 4  
amended.

4. The board may refuse to grant or may revoke a license for the following causes, to wit: chronic and persistent inebriety; conviction of crime involving moral turpitude; 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 representation; 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

Refusal or  
revocation  
of license.

in person or by attorney; and any person, after such refusal or revocation of license, who shall attempt or continue the practice of chiropody, shall be subject to the penalties hereinafter prescribed.

Section 5  
amended.

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

Annual certificate of  
registration.

5. Every licensed chiropodist shall procure from the secretary of said board on or before the first day of November, one thousand nine hundred and twenty-one, and on or before the first day of November annually thereafter, an annual certificate of registration; said certificate shall be issued by the said secretary upon the payment of a fee to be fixed by said board, not to exceed the sum of three dollars; it shall be the duty of said secretary to mail to each licensed chiropodist in this State on or before the first day of October, one thousand nine hundred and twenty-one and on or before the first day of October annually thereafter, a printed blank form to be filled in by such licensed person, which form shall be returned by such licensed person on or before the succeeding first day of November to the secretary of said board, properly filled in, together with fee. Upon the receipt of said form returned by such licensed person properly filled in, and said fee, the annual certificate of registration shall be issued and transmitted. Said secretary shall annually, on or before the first day of January of each year mail to each licensed chiropodist who has registered for the preceding year a list containing the names and postoffice addresses of all licensed chiropodists who have registered under this section for said year.

Fee.

Blank furnished.

List of  
chiropodists.

Penalty for  
practicing  
without license.

Every licensed chiropodist who shall continue the practice of chiropody after having failed to secure any annual certificate of registration at the time and in the manner required by this section shall be subject to a penalty of twenty-five dollars for each such failure, which penalty shall be sued for and recovered by said board in the manner hereinafter prescribed for the collection of penalties.

5. Section six of the act of which this act is amendatory be and the same is hereby repealed. Section 6  
repealed.

6. Section eight of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows: Section 8  
amended.

8. Any person hereafter commencing or continuing the practice of chiropody in this State without first having obtained and filed the license herein provided for, or contrary to any of the provisions of this act, and any person who shall practice chiropody under a false or assumed name, or who shall falsely impersonate another practitioner of a like or different name, or who shall buy, sell or fraudulently obtain any diploma as a chiropodist, or any chiropody license, record or registration, or who shall violate any of the provisions of this act, shall be liable to a penalty of two hundred dollars, which penalty shall be sued for and recovered by and in the name of the State Board of Medical Examiners of New Jersey. Every District Court in any city or judicial district in any county, and every Court of Common Pleas in any county is hereby empowered, upon filing of a complaint in writing, duly verified, which said verification when made by any member of the said State Board of Medical Examiners of New Jersey, or by any member of any incorporated chiropodist or medical society of this State or of any county of this State, may be made upon information and belief, that any person has violated any provision of this act to issue process at the suit of the State Board of Medical Examiners of New Jersey as plaintiffs; such process shall be either in the nature of a summons or warrant, which warrant may issue without any order of the court or judge first being obtained against the person or persons so charged, with process, when in the nature of a warrant, shall be returnable forthwith, and when in the nature of a summons shall be returnable in not less than five or more than fifteen entire days; such process shall state what provisions 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 be adjourned, the said court shall proceed in a Penalty for  
improper  
practices.

Jurisdiction  
of courts.

Issue process.

Hearing.

Officers to serve process.

Adjourned hearings.

Bond entered into.

Form of conviction.

summary manner without a jury 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 shall, if judgment be rendered for the plaintiff, cause any such defendant who may refuse or neglect to forthwith pay the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for any period not exceeding one hundred days; that the officers to serve and execute all process under this act shall be officers authorized to serve and execute process in said courts; that said District Court or Court of Common Pleas shall have power to adjourn the hearing or trial in any case from time to time, but in such case, except in cases in which the first process was a summons, it shall be the duty of the judges of the District Court or Court of Common Pleas to detain the defendant in safe custody, unless he shall enter into bond to the said State Board of Medical Examiners of New Jersey, with at least one sufficient surety in double the amount of the penalty claimed, conditioned for his or her appearance on the day to which the hearing shall be adjourned and thence from day to day until the case is disposed of, and then abide by the judgment of the said court, and such bond, if forfeited, may be prosecuted by the said board.

A. The conviction in prosecutions under this act shall be in the following or similar form:

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

Be it remembered, that on this . . . . . day of . . . . .  
 at . . . . . in said county, C. D., defendant, was by  
 (the District Court of the city of . . . . ., or  
 as the case may be), convicted of violating the . . . . .  
 section of an act entitled "An act to regulate the practice of chiropody, to license chiropodists and to punish persons violating the provisions thereof," approved April thirteenth, one thousand nine hundred and eight, in a summary proceeding at the suit of the State Board

of Medical Examiners of New Jersey upon a complaint made by.....; and further, that the witnesses in said proceeding, who testified for the plaintiff were (name them), and the witnesses who testified for the defendant were (name them).

Wherefore, the said court doth hereby give judgment that the plaintiff recover of the defendant.....dollars, penalty, and.....dollars, costs, of this proceeding.

B. The conviction shall be signed by the judge of the District Court or Court of Common Pleas before whom the conviction is had. In case the defendant is committed to jail in default of the penalty, a commitment in the following form shall be added, beneath the judge's signature to the conviction:

Conviction signed.

And the said C. D. neglecting and refusing to pay the amount of the penalty above mentioned, with costs, it is hereby ordered that the said C. D. be and he hereby is committed to the common jail of the county of..... for the period of.....days, unless the said penalty and costs are sooner paid. This commitment shall also be signed by the judge, and in case of commitment of any defendant to jail, the conviction and commitment shall be signed in duplicate, and one of the duplicate copies shall serve the purposes of a warrant of commitment.

Form of commitment.

C. In case any person shall, after conviction of any violation of this act, be again convicted of another violation of this act or of continuing the violation for which he was previously convicted, he shall be liable to a penalty of five hundred dollars for each such violation or continuation to be sued for and recovered in the manner above set forth. In case any defendant against whom judgment has been recovered for a penalty of five hundred dollars shall fail or neglect to forthwith pay the amount of said penalty, the court shall commit him to jail in the manner above set forth, for any number of days not exceeding two hundred days. Any penalty recovered for any violation of this act shall be paid to the said board, who shall pay one-half thereof to any incorporated chiroprapist or medical society procuring

Penalty for further violations.

Commitment to jail.

Disposition of penalty.

the evidence upon which the said defendant was convicted. The other half shall be applied by the said board to the same purposes as other funds of the board collected in accordance with the provisions of this act.

Summary hearing. In case any such proceeding is brought in any Court of Common Pleas, the trial thereof shall proceed in a summary manner without a jury as above set forth, immediately upon the arrest under warrant of the defendant, or on the return day of the summons, or on any day to which the judge of said court shall continue the said trial, either during the terms of said court or in vacation.

Issuing process. D. The clerk of any District Court or of any Court of Common Pleas may sign and seal any process required to be issued under this act, except a warrant of commitment. The costs recoverable in any such proceeding shall be the same as costs fixed in actions in said courts, and shall be recoverable by the said board in the event of conviction of the defendant. Any judgment recovered for a penalty under the provisions of this act in any District Court may be docketed in the same manner as judgments in said court are docketed under the provisions of an act entitled "An act concerning District Courts," approved June fourteenth, one thousand eight hundred and ninety-eight, and the acts amendatory thereof and supplementary thereto. Execution may issue for the collection of any judgment obtained under this act against the goods and chattels and body of the defendant without any order first obtained for such purpose.

Recovery of costs.

Judgment docketed.

Executions. 7. Sections nine, ten, eleven, and twelve of the act of which this act is amendatory be and the same are hereby repealed.

Sections 9, 10, 11, 12 repealed.

Repealer. 8. 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 July first, one thousand nine hundred and twenty-one.

Act effective.

Approved April 12, 1921.

## CHAPTER 289.

An Act fixing the compensation of the chief clerk in the office of sheriff in any county of this State having a population between one hundred seventy-five thousand and three hundred fifty thousand inhabitants.

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

1. In each county of this State having a population between one hundred seventy-five thousand and three hundred fifty thousand inhabitants, the chief clerk in the office of the sheriff in any such county shall receive and be paid an annual compensation in lieu of all fees, mileage, perquisites or other allowances heretofore made, an annual salary of twenty-three hundred dollars for the first year of service, twenty-four hundred dollars for the second year of service, twenty-five hundred dollars for the third year of service, twenty-six hundred dollars for the fourth year of service and twenty-seven hundred dollars for the fifth and each subsequent year of service. Such compensation shall be paid monthly by the county collector; *provided, however,* that nothing in this act contained shall be construed as reducing the annual compensation of any chief clerk in the office of a sheriff of any county affected by the terms of this act.

Salary of  
chief clerk  
to sheriff.

Proviso.

2. This act shall take effect immediately.

Approved April 12, 1921.

CHAPTER 290.

An Act to amend an act entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,' " approved April eighth, one thousand nine hundred and three, which said supplement was approved April fourteenth, one thousand nine hundred and six.

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

Section 1 amended.

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

County board of taxation.

1. There shall be established in each county of this State a board for the equalization, revision, review and enforcement of taxes, to be called the . . . . .

Membership.

(naming county) county board of taxation, composed of three members, to be appointed by the Governor, by and with the advice and consent of the Senate. They shall each be residents and citizens of the county in and for which they are appointed, and at no time shall more than two of the members of said board be members of the same political party.

Term begins May first.

The first appointments under this act, if made when the Senate is not in session, shall be valid until the first day of May, nineteen hundred and seven, and the appointments of successors shall be made as provided in this act, their terms to commence on the first day of May, nineteen hundred and seven.

Terms of members.

The term of office of the members first appointed shall commence on the first day of May, nineteen hundred and six, and the members so appointed by the Governor shall be appointed for the terms of one, two and three years, respectively; and thereafter, as the terms of said members expire, appointments shall be made for a term of three years. In case a vacancy shall occur in

Vacancy.

said office by reason of death, resignation or otherwise, the Governor shall appoint for the unexpired term only. Before entering upon the discharge of their duties, each member shall take and subscribe an oath to faithfully perform the duties of his office, which oath shall be filed in the office of the Secretary of State.

The salaries of the members of said board shall be paid by the Treasurer of the State of New Jersey, upon warrants drawn by the Comptroller, and shall be paid in equal monthly installments, and shall be fixed at the following sums, to wit: In counties having, according to the next preceding State or national census, more than two hundred and seventy-five thousand inhabitants, an annual salary of thirty-five hundred dollars; in counties between two hundred thousand and two hundred and seventy-five thousand inhabitants, an annual salary of twenty-six hundred dollars; in counties having between one hundred and fifty thousand and two hundred thousand inhabitants, an annual salary of two thousand four hundred dollars; in counties having between one hundred and twenty-five thousand and one hundred and fifty thousand inhabitants, an annual salary of two thousand dollars; in counties having between eighty-three thousand and one hundred and twenty-five thousand inhabitants, an annual salary of one thousand eight hundred dollars; in counties having between seventy-five thousand and eight-three thousand inhabitants, an annual salary of one thousand four hundred dollars; in counties having between fifty thousand and seventy-five thousand inhabitants, an annual salary of one thousand two hundred dollars, and in counties having less than fifty thousand inhabitants, an annual salary of one thousand dollars.

Salaries.

According to population.

2. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 291.

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 82  
amended.

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

Who may  
vote at school  
elections.

82. Every citizen of the United States who shall have the qualifications required for electors for the General Assembly of the State of New Jersey, who was regularly registered at the last preceding general election for members of the General Assembly, shall have the right to vote at any annual or special school meeting of the legal voters of said school district.

2. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 292.

An Act to fix and define the boundary line between the borough of Belmar and the borough of Avon, in the county of Monmouth, easterly from the iron bridge erected by the said county of Monmouth across Shark river.

Preamble.

WHEREAS, Doubt and difficulty has arisen respecting the accurate location of the boundary line between the borough of Belmar and the borough of Avon, in the

county of Monmouth, easterly from the iron bridge erected by the said county of Monmouth across Shark river; and

WHEREAS, In order that all doubt and difficulty may be removed, and that the municipalities interested in the proper and accurate adjustment of the said line may have the same determined and fixed by an act of the Legislature; therefore, Preamble.

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

1. The boundary line between the borough of Belmar and the borough of Avon, in the county of Monmouth, easterly from the iron bridge erected by the said county of Monmouth across Shark river, be and the same is hereby, and shall hereafter be, fixed and defined to be as follows: Boundary line between Avon and Belmar defined.

Beginning at a point in the center of the iron bridge erected by the county of Monmouth, crossing the Shark river, and being the continuation northerly of F street, in the said borough of Belmar; thence (1) north sixty-seven degrees east one thousand three hundred and fifty feet more or less to a point in the center of the new channel; thence (2) eighty-six degrees forty-one minutes east one thousand two hundred and twenty feet more or less to a point in the center of the new channel; thence (3) south seventy-nine degrees thirty-four minutes east six hundred feet more or less to a point in the center of the new channel; thence (4) north seventy-six degrees two minutes east five hundred and thirty feet more or less to a point in the center of the new channel; thence (5) south seventy-two degrees forty minutes east four hundred and fifteen feet more or less to a point in the center of the new channel; thence (6) south forty-two degrees ten minutes east two hundred and seventy-five feet more or less to a point in the center of the new channel; thence (7) south seventy-four degrees thirty-two minutes east nine hundred and twenty-five feet more or less to a point in the

Atlantic ocean, the last-mentioned course being at right angles to the line of Ocean avenue in said borough of Belmar.

2. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 293.

A Supplement to an act entitled "An act for the payment of a bonus to each soldier, or a dependent or dependents thereof, who served in the military or naval forces of the United States during the war between the United States and the German Empire and its allies, and providing for the issuance of bonds and for the payment of interest and principal thereof," approved April thirteenth, one thousand nine hundred and twenty.

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

Taking affidavits for soldier's bonus.

1. All oaths, affidavits or affirmations required to be taken by this act or any rules of the Soldiers' Bonus Commission in the process of making application for and obtaining any bonus authorized to be paid to any soldier under and within the meaning of this act may be taken before either one of any two persons nominated to the Soldiers' Bonus Commission by the American Legion, the Veterans of Foreign Wars, the Military Order of Foreign Wars, the Military Order of the World War or any other duly constituted organization of veterans of the war with Germany and its allied powers, which nomination shall be certified to by the head officer of such organization and its secretary, in writing, and filed with the Soldiers' Bonus Commission at the office of the Adjutant-General of the State of

New Jersey. Such person so nominated shall be known and designated as Bonus Affidavit Officer. All such affidavits so taken shall be free of charge, and in case of any charge being made by any such person so authorized to take such oath, affidavit or affirmation, upon proof of that fact to the satisfaction of the Bonus Commission, his said authority shall cease and determine upon notification thereof by the said Bonus Commission to said veterans' organization and to such person.

Title of officer.

No charges.

2. All oaths, affidavits or affirmations shall be prescribed, administered and made by any applicant for a bonus under the act to which this act is a supplement, its supplements and amendments, in the same manner and form as other oaths, affidavits or affirmations are required to be taken in this State, and any person who shall falsely, willfully and corruptly swear, affirm or declare any matter or thing, which if the same had been sworn or deposed before any other person authorized by law to take such oaths, affidavits, affirmations or declarations would have amounted to willful and corrupt perjury, which shall be construed to be any substantial statement falsely purporting to verify the same, then such person so offending shall be deemed and adjudged to be guilty of willful and corrupt perjury, and, on being convicted thereof, shall be punished accordingly.

Manner of making affidavit.

3. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 294.

An Act to amend an act entitled "An act relating to advertising in towns, townships, boroughs, villages and other municipalities, except cities, of this State." Approved April fifteenth, one thousand nine hundred and nineteen.

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:

Publication  
of ordinances.

1. All ordinances or other public notices which any town, township, village or other municipality, except cities, of this State, may by law be required to advertise in a newspaper, shall be published in at least one newspaper published and circulating in the said municipality and if there be no newspaper published and circulating in said municipality, then in at least one newspaper published and circulating in the county in which the said municipality is located.

2. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 295.

An Act to amend an act entitled "An act concerning municipal and county finances," approved March twenty-eighth, nineteen hundred and seventeen.

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 so that it shall read as follows:

22. (a) After the first day of June any municipality, in anticipation of the receipt of tax revenues for that year for municipal purposes, for local school purposes, and for State and county purposes which are collectible by the collector of the taxing district, may, after any such taxes become delinquent, and to the amount thereof, borrow moneys for the purpose of making all payments which may be lawfully made out of the proceeds of such taxes, including the payment of State and county taxes as and when required by law, or to refund its outstanding tax anticipation notes or bonds. In the case of municipalities, for the purpose of this section, one-half of the taxes levied upon railroad and canal property which are payable in the first instance to the State Comptroller, and paid by him to the county treasurers for distribution to the taxing districts and one-half of the franchise taxes and one-half of the tax on gross receipts of corporations shall be deemed delinquent to the taxing district from the first day of June, and the other half from the first day of December, until said railroad and canal and franchise taxes and taxes on gross receipts of corporations are received by the collector or other proper officer of the municipality.

Right to borrow in anticipation of taxes.

Certain taxes deemed delinquent.

After the fifteenth day of June, any county, in anticipation of the receipt of tax revenues for the current year due from the municipalities for county purposes, for the State school tax and other State taxes apportioned to said county, as certified and included in the tax levies of the several municipalities by the county board of taxation, which are delinquent, and to the amount thereof, may borrow such moneys as may be necessary to meet the lawful expenditures under the appropriations as fixed in the tax resolution, or for the payment of the State school tax or other State taxes as same may become due or to refund its outstanding tax anticipation notes or bonds.

Borrowing by counties in anticipating taxes.

(b) All obligations incurred under this section shall be evidenced by the issue of Tax Revenue Notes or Tax Revenue Bonds, and not by the name or in the form of any other instrument whatsoever. Each Tax Revenue Note or Bond, or renewal thereof, shall bear upon its face the statement that it is issued against delinquent

Obligations issued.

Authority given.

tax revenues of 19.. (giving the year in which such tax revenues became delinquent), and no notes or bonds shall run with their renewals for a longer period than four years after the thirty-first day of December of the year in which the tax revenues against which such note, notes, bond or bonds, were issued, became delinquent as hereinafter provided. For the purpose of this section, taxes, which have been imposed or levied but which have been set aside or vacated or annulled shall be deemed delinquent taxes.

Delinquent taxes.

Use of receipts from delinquent taxes.

Proviso.

Proviso.

Unpaid balance.

Retirement of bonds.  
Proviso.

Litigated taxes.

(c) After the lawful expenditures under the appropriations for the year have been met, and the Tax Anticipation Notes or Bonds, and the Emergency Notes or Bonds, falling due in the year of issue have been paid or retired, the receipts of all delinquent tax revenues of any fiscal year shall be set aside and applied to the retirement of the Tax Revenue Notes or Bonds of that year, until all notes or bonds issued against the delinquent tax revenues of that year are paid; *provided, however*, when there are obligations incurred for, or purposes unfulfilled under, the budget appropriations of any year, there may be reserved from the first receipts of delinquent taxes of that year an amount sufficient to pay such obligations or to fulfill such purposes, but in no case shall such receipts be reserved to an amount that is greater than the difference between the delinquent taxes of such year and the revenue notes or bonds outstanding against such delinquent taxes; *and provided, further*, that if at the time of borrowing, a municipality has power to borrow on tax anticipation notes or bonds, the power to borrow on such notes or bonds shall first be exhausted before it shall borrow on tax revenue notes or bonds.

(d) An appropriation for the payment of any unpaid balance of the Tax Revenue Notes or Bonds of any fiscal year shall be included in the budget or the tax ordinance (or resolution) for the fourth year thereafter. All such notes or bonds shall be paid and retired on or before the last day of said fourth year; *provided, however*, if any portion of the taxes upon which said Tax Revenue Notes or Bonds were issued shall be in litigation, then an amount equal to the face value of said

taxes may be excepted and carried by renewal or renewals of said Tax Revenue Notes or Bonds until said litigation shall have been concluded, and all or any portion of the said taxes are paid; if, however, the courts or other lawful body shall cancel or remit all or any portion of the taxes so in litigation, then the said Tax Revenue Notes or Bonds, in an amount equal to the taxes so cancelled or remitted, shall be paid in not more than five equal annual installments by the inclusion of an annual installment in the tax levy of each succeeding year until the said Tax Revenue Notes or Bonds shall have been paid; or if, notwithstanding the result of such litigation be in favor of the municipality, such taxes shall, nevertheless, prove to be uncollectible and the governing body shall, by proper resolution, so declare, then the Tax Revenue Notes or Bonds, to the amount of the taxes so declared to be uncollectible, shall be paid in not more than five equal annual installments by the inclusion of an annual installment in the tax levy of each succeeding year until the said notes or bonds shall have been paid.

Payment in case of canceled taxes.

In case of uncollectible taxes.

(e) The gross amount of Tax Revenue Notes or Bonds for any year shall at no time exceed the gross amount of uncollected delinquent tax revenues of that year, plus the amount of the receipts from such tax revenues in hand, applicable to the discharge of such notes or bonds at maturity, excepting, however, the amount of such notes or bonds as shall represent the amount of taxes cancelled or remitted as the result of litigation or declared to be uncollectible as herein provided.

Gross amount of bonds.

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

Section 23 amended.

23. On each Tax Anticipation Note or Bond, each Tax Revenue Note or Bond, and each Tax Title Note or Bond hereafter issued, there shall appear a statement that it is issued pursuant to this act, and there shall be stated the total borrowing power authorized by this act under such instruments, as well as the amount of such instruments outstanding, *provided, however,* that the amount authorized to be borrowed by the governing body need not be reduced by reason of the further

Statement on note or bond.

Proviso.

collection of taxes between the date when the resolution is adopted authorizing the borrowing and the date when the loan is actually effected. Such a statement shall be made by the treasurer or chief financial officer of the municipality or county, as the case may be, and his signature to the instrument shall constitute a declaration to the other officials who are required to sign such instrument that the statement made is correct, and such statement shall constitute conclusive evidence to the holder of such instrument that the same was fully authorized under and within the powers, limitations and provisions of this act.

3. Section twenty-six of the act to which this act is an amendment is hereby amended to read as follows:

26. All notes or bonds issued hereunder shall be authorized by resolution. They shall be negotiable instruments, but may be registered upon request of the purchaser or holder. They shall bear interest at a rate not in excess of six per centum per annum, and shall be sold by the municipal or county maker thereof for not less than par. The faith and credit of the municipality or county shall be deemed to be pledged for the payment of such notes or bonds with interest, as though a statement to that effect were endorsed thereon. When any municipality or county shall issue at one time notes or bonds hereunder, where the amount exceeds one-tenth of one per centum of the next preceding assessed valuations of the taxable real and personal property of such municipality or one-fortieth of one per centum of the next preceding assessed valuations of the taxable real and personal property of such county (excepting that this limitation shall not apply to an issue that shall be less than fifty thousand dollars, nor wherein tax revenue notes or bonds are issued to the holder of tax anticipation notes or bonds to refund same), such notes or bonds shall be sold at public bidding as the result of sealed proposals, which shall be publicly opened and read at the place and time as stated in the advertisement for such bidding, and after advertisements of one week previous to date of bidding in the official newspaper of said municipality or county, if there be such, or if

Statement  
verified.

Section 26  
amended.

Notes or  
bonds issued  
by resolution.

Rate.

Pledge for  
payment.

Public sale  
of bonds.

Advertise-  
ments.

not, in a newspaper published and circulated in said municipality or county, as the case may be, and in such financial papers as the governing body may direct. Such notes or bonds shall be sold at par. The bidder shall be required to state the amount of interest he is willing to take for the loan about to be made. The bidder offering the least interest rate expressed in multiples of one one-hundredths of one per centum shall be awarded the sale of said notes or bonds; if, however, one or more bidders offer the same interest rate, then the bidder who shall offer the greatest additional premium shall be awarded the sale of said notes or bonds. Should no bid be received in response to the advertisement, the governing body shall have power within thirty days to sell such notes or bonds at private sale at the most advantageous rate obtainable; *provided, however*, that upon a two-thirds vote of the governing body notes or bonds to any amount may be sold to the sinking fund of the issuing municipality or county, as the case may be, at par, without advertisement or public bidding; *provided, further*, that upon two-thirds vote of the governing body notes or bonds to any amount which are by the provisions thereof payable within six months from their date, may be sold at private sale at not less than par without advertisement or public bidding.

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

Approved April 12, 1921.

Amount of  
interest  
bidden.

Private sale.  
Proviso.

Proviso.

Repealed.

## CHAPTER 296.

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

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

Additional  
game wardens.

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 six, 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.

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 April 12, 1921.

## CHAPTER 297.

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:

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

Section 1  
amended.

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

Association  
for purposes  
of insurance.

I. Against loss or damage to property, including loss of use or occupancy, by fire, lightning, tempest on land, including windstorm, tornado and cyclone, earthquake, hail, frost or snow, weather or climatic conditions, including excess of deficiency of moisture, flood, rain or drought, rising of the waters of the ocean or its tributaries, bombardment, invasion, insurrection, riot, civil war or commotion, military or usurped power, and by explosion, whether fire ensues or not, except explosion on risks specified in sub-division six of this section; also against loss or damage by insects or disease to farm crops or products and loss or rental value of land used in producing such crops or products;

Fire, wind,  
water, riot,  
explosions, etc.

Insects. crops,  
etc.

II. Upon vessels, boats, cargoes, freights, goods, wares, money, merchandise, specie, bullion, jewels, profits, commissions, bank notes, bill of exchange and other evidences of debt and other property and effects, bottomry and respondentia interests and every insurance appertaining to or connected with marine risks and risks of transportation and navigation, including the risks of lake, river, canal and inland transportation and navigation, including insurance against loss or damage

Marine.

Vehicles.	to automobiles and other vehicles and airplanes, seaplanes, dirigibles or other aircraft, whether stationary or being operated under their own power by all or any of the hazards of fire, lightning, tempest, explosion, transportation by land or water, collision, loss by legal liability for damage to property resulting from the maintenance and use of automobiles and other vehicles and airplanes, seaplanes, dirigibles or other aircraft and
Theft, etc.	loss by burglary or theft, vandalism or malicious mischief, or the wrongful conversion, disposal or concealment of automobiles, whether held under conditional sale contracts or subject to chattel mortgages, or any one or more of such hazards, but shall not include insurance against loss by reason of bodily injury to the person.
Life.	III. Upon the lives or health of persons, and every insurance appertaining thereto, and to grant, purchase or dispose of annuities;
Accident.	IV. Against bodily injury or death by accident, and upon the health of persons, including a funeral benefit to an amount not exceeding one hundred dollars, or against loss or damage to automobiles or motor vehicles of any description, or to wagons or vehicles propelled by a horse, horses or teams of any description, resulting from collision with moving or stationary objects, or against loss by legal liability for damage to persons or property resulting from collision of automobiles or motor vehicles of any description, or of wagons or vehicles propelled by a horse, horses or teams of any description with moving or stationary objects;
Indemnity.	V. Against loss or damage resulting from accident to or injury suffered by any person for which loss or damage the insured is liable;
Explosions.	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;
Defalcation.	VII. Against loss from the defaults of persons in positions of trust, public or private, or against loss or damage on account of neglect or breaches of duty or

obligations guaranteed by the insurer; and against loss by banks, bankers, brokers, financial or moneyed corporations, or associations, of any bills of exchange, notes, checks, drafts, acceptances of drafts, bonds, securities, evidences of debt, deeds, mortgages, documents, gold or silver, bullion, currency and money, except loss by marine risks or risks of transportation or navigation;

VIII. Against loss or damage on account of encumbrances upon or defects in titles to real property and against loss by reason of the nonpayment of principal and interest of bonds and mortgages. A company organized under this act to transact the business authorized by this subdivision shall have the right, in addition to the other powers of investment given by this act, with its capital and surplus to take, buy, sell and deal in first mortgages on real estate and to issue bonds, debentures and certificates against such mortgages, and may use in its name the words "Guaranty Company" instead of the words "Insurance Company," as hereinafter required generally for corporations formed under this act;

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

X. Against loss by burglary, theft, forgery, vandalism or malicious mischief, the wrongful conversion, disposal or concealment of automobiles held under conditional sale contract or subject to a chattel mortgage, or any one or more of such hazards;

XI. Against the breakage of glass;

XII. Against loss or damage by water or other fluid to any goods or premises arising from the breakage or leakage of sprinklers, pumps or other apparatus erected for extinguishing fires, or of other conduits or containers, or by water entering through leaks or openings in buildings and of water pipes and against accidental injury to such sprinklers, pumps, conduits, containers, water pipes and other apparatus.

XIII. Upon the lives of horses, cattle and other live stock or against loss by theft of any of such property or both.

Titles.

Credits.

Burglary.

Glass.

Sprinklers,  
water pipes,  
etc.

Live stock.

Casualty.

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

Insurance companies, either stock or mutual.

Companies may be formed upon the stock plan to transact any kind of insurance authorized by this section, or upon the mutual plan to transact the kinds of insurance described in subdivisions first, second, third, fourth, fifth, sixth and eleventh hereof. Any corporation which, by its charter, is authorized to make insurance against loss or damage to property caused by fire, lightning or tempest on land may, without amending such charter, transact all of the kinds of insurance described in subdivisions first, second and twelfth hereof; *provided*, such corporation shall be possessed of the amount of capital stock or cash premiums required by section six of this act.

Varied business conducted.

Proviso.

Section 2 amended.

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

Must engage in insurance specified.

2. No company shall be formed for the purpose of engaging in any other kind of insurance than that specified in some one of the subdivisions of the preceding section, or more kinds of insurance than are specified in a single subdivision, except that a company may be formed (1) for the purposes specified in subdivisions first, second and twelfth; or (2) for the purposes specified in subdivisions third and fourth; or (3) for any or all of the purposes specified in subdivisions fourth to fourteenth, both inclusive; contracts for each of the kinds of insurance specified in the subdivisions of the preceding section shall be in separate and distinct policies, except that the same policy may embrace risks specified in subdivisions fourth and fifth; except also that companies electing to issue policies on residences and private apartments may embrace in one policy risks specified in subdivisions fourth, fifth, sixth, tenth, eleventh, twelfth and thirteenth, or any one or more of them; and except also that a life insurance company may incorporate in its policies of insurance provisions for the waiver of premiums or for the granting of spe-

Distinct policies for different insurances.

cial surrender values therefor in the event that the insured thereunder shall from any cause become totally and permanently disabled.

3. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 298.

An Act to amend "An act prohibiting false labels and misrepresentations in the sale of certain food products, and providing penalties for the violation thereof," approved April fifteenth, one thousand nine hundred and twenty.

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

1. Any person or persons who with intent to defraud sells or exposes for sale any meat or meat preparation or any fowl or preparations from fowl, and falsely represents the same to be "Kosher" or as having been prepared under, and of a product or products sanctioned by, the orthodox Hebrew religious requirements, or falsely represents any food products or the contents of any package or container to be so constituted and prepared by having or permitting to be inscribed thereon the word "Kosher" in any language, or who, selling both Kosher and non-Kosher food, does not so indicate on his stationery, advertisements and window signs, is guilty of a misdemeanor, punishable by fine of not more than five hundred dollars, or by imprisonment of not less than twenty days or not more than six months, at the discretion of the court.

Improper use  
of "Kosher."

Penalty.

Approved April 12, 1921.

## CHAPTER 299.

An Act extending to women electors of this State equal privileges in the holding of all office or employment in this State.

Preamble.

WHEREAS, By the taking effect of the Nineteenth Article of Amendment to the Constitution of the United States the right to vote is not now denied or abridged on account of sex by the United States or by this State, and

Preamble.

WHEREAS, Under laws previously enacted in this State there are restrictions and disabilities as to public service by women in the holding of office or employment as to certain particular offices and employments and it is desirable to remove such disabilities and restrictions; now, therefore,

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

Rights and privileges of women.

I. The right of citizens of this State to hold office or employment shall be co-extensive with their right to vote from and after the taking effect of this act, and such right shall be equal as to all citizens and shall not be denied or abridged in this State on account of sex, and such equal rights and privileges shall extend to all offices, boards, commissions or other public service in this State and its political subdivisions of whatever nature or kind.

Approved April 12, 1921.

## CHAPTER 300.

An Act to permit the use of armories by public school pupils, Boy Scouts of America and Girl Scouts of America in municipalities where such armories are located.

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

1. It shall be lawful for the public school pupils in any municipality where an armory is located, when in charge and under the control of one or more competent teachers, instructors or supervisors, Boy Scouts of America and Girl Scouts of America, when in charge and under the control of the scout executive or his deputy, to use such armory or a portion thereof during such hours as such armory is not in use by the National Guard; *provided, however,* that such use by such public school pupils, Boy Scouts of America and Girl Scouts of America, as aforesaid shall not extend to the use of company rooms, locker-rooms or compartments where arms, ammunition, uniforms and accoutrements of the National Guard or the United States Army are stored.

Use of armories by children.

Proviso.

2. To obtain the use of such armory, or a portion thereof, for the public school pupils as aforesaid, the board of education of the municipality, in case the use of the same for Boy Scouts and Girl Scouts, the scout executive or his deputy of the municipality in which such armory is located shall communicate with the State Military Board setting forth the days and hours during which it desires the use of such armory, or a portion thereof, for public school pupils, Boy Scouts and Girl Scouts, in such municipality and for what purpose, and the State Military Board shall, if such armory, or portion thereof, is not to be used by the National Guard during such hours, forthwith grant such permission.

Application for use.

Use of swim-  
ming pool.

3. The State Military Board shall not be obliged, however, to grant permission for the use by public school pupils, Boy Scouts and Girl Scouts, as aforesaid of that portion of such an armory containing a swimming pool unless the municipality in which said armory is located shall furnish or pay for the water used in such swimming pool during the time it is used by such public school pupils, or such proportion thereof as shall be satisfactory to the State Military Board.

Gymnasium  
apparatus.

4. The board of education in any municipality where an armory is used by the public school pupils as aforesaid, may furnish and equip the drill shed or other portion of said armory, with the permission of the State Military Board, with gymnasium apparatus and paraphernalia for the use of its public school pupils as aforesaid, *provided, however*, that it consents that such gymnasium apparatus and paraphernalia may be used by the members of the National Guard using said armory at times when they are not in use by the public school pupils as aforesaid or makes such other arrangements in regard thereto as are satisfactory to the State Military Board.

Proviso.

Obligations  
of grantee.

5. The permission for the use of an armory, or a portion thereof, granted under the provisions of this act, shall be given only upon the municipality or board of education concerned obligating itself to see that same is left in as clean and perfect a condition each time after it is used by such pupils as aforesaid as it was before they entered it, and that any damage to such armory or equipment caused while it is in use by such pupils will be promptly repaired or paid for by such municipality or board of education.

Scout use.

6. The use of said armory for the Boy Scouts and Girl Scouts shall be only for the purpose of holding rallies, demonstrations and courts of honor.

Repealer.

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

8. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 301.

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

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

1. In any building and loan association that permits the shares of non-borrowers to be withdrawn or matured in a shorter period than the shares of borrowers or that permits withdrawal of shares with full profits, or in any building and loan association that has matured any shares, if the proportion of total profits and surplus to all other liabilities of the association, including instalment dues paid in, prepaid or full paid shares and borrowed money, is less than fifteen per centum, there shall be set apart as a reserve fund out of the net profits of each year before any division or apportionment is made, an amount not less than two per centum of said net profits, and at no time shall said reserve fund exceed five per centum of the total assets of the association.

Reserve fund.

2. Interest on the total reserve fund at the rate of six per centum shall be added annually from the profits of the association, until the said proportion of fifteen per centum of profits to other liabilities shall be attained, after which no addition to the reserve fund shall be required, unless the said percentage is again reduced below the fifteen per centum heretofore specified.

Interest on fund.

3. The reserve fund shall not be used except to make good any unforeseen losses. Any profits not apportioned or set apart as a reserve fund may be held as undivided profits to be used as other earnings, excepting that such undivided profits at no time shall exceed two per centum of the total assets of such association. Reserve fund and undivided profits shall be loaned and

Use of reserve fund.

Loans and investments.

invested in the same manner as are other moneys of such association.

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

Approved April 12, 1921.

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CHAPTER 302.

An Act to provide for the taxation of real and personal property in this State for the construction of public roads.

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

Taxation for roads. 1. There shall be annually, beginning with the calendar year of one thousand nine hundred and twenty-two, levied, assessed and collected in each of the municipalities of the several counties of this State, a tax of one mill on each dollar of the value of all the real and personal property in every such municipality upon which municipal taxes are or shall be levied, assessed and collected. Such tax shall be levied, assessed and collected in the same manner and at the same time as other taxes upon real and personal property are now levied, assessed and collected. It shall be the duty of the collector or other officer having the custody of the collected taxes, on or before the fifteenth day of December in each year, out of the first money collected, to pay to the county treasurer of the county such State tax required to be levied, assessed and collected in his taxing district, and the county treasurer or other officer having the custody of the collected taxes, shall pay the said State tax, which he shall so receive from the taxing districts, to the Treasurer of the State on or before the twentieth day of December following and the said State

Rate.

Collection and payments.

Kept as separate fund.

Treasurer shall place and keep the same in a separate and distinct fund to be known as the "Highway Construction Fund."

2. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 303.

An Act to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

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

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

Section 6  
amended.

6. If a majority of the legal voters in each of said municipalities voting at said election, vote in favor of said consolidation, the said justice of the Supreme Court, upon being satisfied of the correctness of the returns evidenced by the certificate presented to him, shall so certify upon said certificate, which certificate shall be forthwith filed in the office of the clerk of said county; and said consolidation shall take effect, and said municipality shall at and after twelve o'clock noon of the first day of January, next but one succeeding such election, constitute and be one municipality of the class and under the name set forth and described in the order for said election; and on and after said date and time said municipalities shall constitute and be one municipality, and the inhabitants thereof shall become and be a body corporate, in fact and in law, under said name set forth in said order, and by such name shall have perpetual succession, sue and be sued, prosecute and defend in all courts; it shall have a common seal, upon which shall appear the name of said new municipality

If adopted,  
certificate  
certified and  
filed.

When con-  
solidation  
effective.

Inhabitants  
a body cor-  
porate.

Seal.

Which charter  
to govern.

Ordinances  
in force;  
others void.

and the year it became such. The charter of that consolidating municipality having the largest population according to the last census, National or State, except as modified or affected by the special and general laws governing or affecting said municipality, and all ordinances in force therein, and all rules and regulations of the several boards and departments thereof, shall govern and extend to and cover the whole of such consolidated territory, or municipalities, on and after twelve o'clock noon of the first day of January next but one succeeding such elections. All laws, ordinances, rules, and regulations governing or affecting the other consolidating municipalities shall, so far as said consolidating municipalities are concerned, be null and void, except that all ordinances, rules, and regulations in force in any of said consolidating municipalities at the date fixed for said consolidation, which do not conflict with the ordinances, rules and regulations of said largest municipality, or any of its departments, shall remain in full force and effect within the territorial limits of such former independent municipality, and be enforced therein, until amended or repealed.

Approved April 11, 1921.

## CHAPTER 304.

An Act to further amend an act entitled "An act concerning corporations (Revision of 1896)", approved April twenty-first, one thousand eight hundred and ninety-six, as amended by an act entitled "An act to amend an act entitled 'An act concerning corporations' (Revision of one thousand eight hundred and ninety-six), approved April twenty-first, one thousand eight hundred and ninety-six," which amendment was approved March twenty-second, one thousand nine hundred and one.

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

1. Section seventeen of an act entitled "An act concerning corporations (Revision of 1896)", approved April twenty-first, one thousand eight hundred and ninety-six, as amended by an act entitled "An act to amend an act entitled 'An act concerning corporations' (Revision of one thousand eight hundred and ninety-six), approved April twenty-first, one thousand eight hundred and ninety-six," which amendment was approved March twenty-second, one thousand nine hundred and one, is hereby amended to read as follows:

17. Absent stockholders may vote at all meetings by proxy in writing; and every corporation may determine by its certificate of incorporation or by-laws the manner of calling and conducting all meetings, what number of shares shall entitle the stockholders to one or more votes, what number of stockholders shall attend, either in person or by proxy, or what number of shares or amount of interest shall be represented at any meeting in order to constitute a quorum; and may by its original or amended certificate of incorporation provide that any action which, at any meeting of stockholders,

Section 17  
amended.

Voting of  
absent stock-  
holders by  
proxy.

Assent of  
stockholders.

requires the vote, assent or consent of two-thirds in interest of all the stockholders, or of two-thirds in interest of each class of stockholders having voting powers, or which requires such assent or consent in writing to be filed, may be taken upon the assent of and the assent given and filed by two-thirds in interest of the stockholders present and voting at such meeting in person or by proxy; *provided*, that where assent by classes is required such assent shall be given by two-thirds in interest of each class so present and voting; *and provided further* that in no case shall more than a majority of shares or amount of interest be required to be represented at any meeting in order to constitute a quorum; if the quorum shall not be so determined by the corporation, a majority in interest of the stockholders, represented either in person or by proxy, shall constitute a quorum.

Proviso.

Proviso.

Repealer.

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

Approved April 12, 1921.

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#### CHAPTER 305.

A Supplement to an act entitled "An act to authorize the sale of land limited over to infants, or in contingency in cases when such sale would be beneficial."

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

Proceedings  
in name of  
infant.

1. In cases under the act to which this act is a supplement, where one or more of the persons owning a vested estate in the premises in question shall be an infant, the proceedings in such case may be commenced by petition in the name of said infant by his or her next friend or general guardian.

2. The moneys arising from any sale under the act to which this is a supplement, or any part thereof, may by direction of the Chancellor be invested in tax sale certificates on other lands in this State in which some or all of the infant parties are interested.

Investment  
of proceeds.

3. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 306.

An Act concerning the State Highway Commission of this State.

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

1. The State Highway Commission, or its successor, shall have an addition to the power and authority conferred upon it by an act of the Legislature of the State of New Jersey, entitled, "An act to acquire by gift, devise, grant, purchase or condemnation, the toll roads and toll bridges situated entirely within this State, and providing for the cost thereof," approved May fifth, one thousand nine hundred and twenty, power and authority to enter into agreements and terms with the owner or owners of the toll roads and toll bridges, being such toll roads and toll bridges as are enumerated in said act. And like power and authority is hereby given to enter into agreements and terms with the owner or owners of any security or securities on or held against any such toll road or toll bridge.

Acquisition  
of toll roads  
and toll  
bridges.

As to securi-  
ties.

2. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 307.

An Act to amend an act entitled "An act to amend 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,'" which amendment was approved April twenty-six, one thousand nine hundred and fifteen.

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

Section 6  
amended.

Salaries of  
district court  
judges accord-  
ing to popula-  
tion.

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

6. The salaries of the judges of said court shall be fixed as follows: In cities having two hundred thousand inhabitants, or over, an annual salary of fifty-five hundred dollars; in cities having between one hundred thousand and one hundred and twenty-five thousand inhabitants, an annual salary of thirty-five hundred dollars; in cities having between one hundred and twenty-five thousand and two hundred thousand inhabitants, an annual salary of five thousand dollars; in cities having between sixty thousand and one hundred thousand inhabitants, an annual salary of thirty-five hundred dollars; in cities having between twenty-five thousand and sixty thousand inhabitants, an annual salary of thirty-five hundred dollars; in cities having between 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, and in judicial districts the population of which as ascertained by any State or Federal census, is more than forty 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 forty thousand, an annual salary of twelve hundred

dollars; and in judicial districts bordering on the Atlantic ocean the population of which, as ascertained by any State or Federal census, is less than thirty thousand and more than seventeen thousand, an annual salary of twenty-eight hundred dollars; *provided*, that where courts shall be held at more than one place in a judicial district at stated periods the population of which as ascertained by any State or Federal census is more than forty thousand, an annual salary of twenty-five hundred dollars; *provided*, that in counties having a population of more than two hundred thousand, as ascertained by any State or Federal census, the salaries of the judges of said court shall be fixed as follows:

In judicial districts the population of which, as ascertained by any State or Federal census, is more than forty thousand, an annual salary of three thousand dollars; in judicial districts the population of which, as ascertained by any State or Federal census, is less than forty thousand, an annual salary of two thousand dollars.

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

3. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 308.

An Act to amend an act entitled "An act authorizing the appointment of district boards of water supply commissioners in the water supply districts created by an act entitled 'An act to create two water supply districts in the State of New Jersey, to be known respectively as the North Jersey Water Supply District and the South Jersey Water Supply District,' and defining the powers, duties, terms of office, and compensation of such commissioners; and providing for the obtaining, maintenance and operation of water supplies by said commissioners as agents of and by contract with municipal and other corporations in their respective districts, and further providing for the raising, collecting and expenditures of the moneys necessary therefor," approved March sixteenth, one thousand nine hundred and sixteen.

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

Section 14  
amended.

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

Labor and  
materials  
furnished  
by contract.

14. Whenever any work to be performed or material to be furnished shall involve an expenditure exceeding two thousand dollars the said district water supply commission shall cause to be prepared, and shall approve in public meeting, such form of contract, or alternative contracts, for the execution of said work or the furnishing of said materials, and payment therefor, as will, in its judgment secure the execution of said work and the furnishing of said materials, most efficiently, economically and expeditiously, and thereupon the said water-supply commission shall designate the time when it will

meet at its usual place of meeting to receive proposals in writing for doing the work of furnishing the materials in accordance with, and upon the terms and conditions of, such form of contract or alternative contracts; and said board shall order its clerk to give notice by advertisement, inserted in at least two newspapers printed and circulating, respectively, in the county or counties in which the municipalities in said water supply project shall be situated, at least ten days before the time of such meeting, of the work to be done and the materials to be furnished, particular plans and specifications of which at the time of such order shall be filed in the office of the commission.

Advertisements inviting proposals.

All proposals shall be publicly opened by said commission, which shall award the contract to the lowest responsible and qualified bidder under the form of the contract originally adopted, or the form of the alternative contract which shall then be adopted by it as most advantageous.

Opening proposals.

Each contractor shall be required to give bond satisfactory in amount and security to the commission for the faithful performance of his contract.

Bond of contractor.

2. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 309.

An Act to amend an act entitled "An act to amend an act entitled 'An act respecting the fees of surrogates, registers of deeds and mortgages, county clerks and sheriff in certain counties of this State, and providing salaries for such officers,'" approved April seventeenth, one thousand nine hundred and nineteen, which amendment was approved April nineteenth, one thousand nine hundred and twenty.

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

Section 4  
amended.

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

Salaries of  
certain county  
officers.

4. The said surrogate, register of deeds and mortgages (wherever such office now is or may hereafter be created) and county clerks shall receive in lieu of all other compensation annual salaries as follows:

In counties having a population exceeding three hundred thousand inhabitants, nine thousand dollars.

That sheriffs in said counties shall receive in lieu of all other compensation annual salaries as follows:

In counties having a population exceeding three hundred thousand inhabitants, ten thousand dollars.

The said surrogates, registers of deeds and mortgages (wherever such office now is or may hereafter be created), county clerks and sheriffs shall receive in lieu of all other compensation annual salaries as follows:

In counties having a population between two hundred thousand and three hundred thousand inhabitants, seven thousand dollars per annum.

The said surrogates, registers of deeds and mortgages (wherever such office now is or may hereafter be created), county clerks and sheriffs shall receive in lieu of all other compensation annual salaries as follows:

In counties having between one hundred and twenty-five thousand and two hundred thousand inhabitants, six thousand five hundred dollars;

In counties having between eighty thousand and one hundred and twenty-five thousand, six thousand dollars;

In counties having between sixty-five thousand and eighty thousand inhabitants, four thousand five hundred dollars;

In counties having between fifty thousand and sixty-five thousand inhabitants, four thousand dollars;

In counties having between forty thousand and fifty thousand inhabitants, three thousand dollars;

In counties between thirty and forty thousand inhabitants, three thousand dollars;

In counties having less than thirty thousand inhabitants two thousand eight hundred dollars;

Chief clerks or first assistant deputies in the offices of the surrogates, registers of deeds and mortgages, county clerks and sheriffs in counties having a population between two hundred thousand and five hundred thousand shall receive in lieu of fees and all other compensation the sum of three thousand dollars.

Assistants.

To be paid by the proper disbursing officer in equal monthly payments. Such salaries shall be determined and paid upon a basis of population shown at the latest State or National census promulgated without regard to the date of election or appointment of such sheriffs, county clerks, registers of deeds and mortgages and surrogates; *provided*, that nothing contained in this act shall be applied to affect a reduction in the salary of any sheriff, county clerk, register of deeds and mortgages and surrogates during the term of office to which he has been or may be elected or appointed immediately preceding the promulgation of said State or National census. Said sheriffs, county clerks, registers of deeds and mortgages and surrogates in any county in this State shall select and employ the necessary deputies, chief clerks, and assistants for said officers respectively, such deputies and chief clerks to receive compensation as follows:

Basis of payment.

Proviso.

Assistants.

**Salaries of  
deputies.**

Deputy surrogates, deputy registers of deeds and mortgages, deputy county clerks and under sheriffs in counties having a population between one hundred and seventy-five thousand and five hundred thousand shall receive in lieu of all other compensation annual salaries of four thousand dollars; in counties having between one hundred and fifty thousand and one hundred and seventy-five thousand, annual salaries of three thousand dollars.

**Chief clerks,  
etc.**

Chief clerks or first assistant deputies in the offices of the surrogates, registers of deeds and mortgages, county clerks and sheriffs in counties having a population between two hundred thousand and five hundred thousand shall receive in lieu of fees and all other compensation the sum of three thousand dollars.

**Payments.**

All other employees shall receive such compensation as shall be approved by the board of freeholders of the respective counties. The compensation to such deputies, chief clerks and assistants and other employees shall be paid semi-monthly by the proper disbursing officer of said counties on warrant approved by the sheriff, county clerk, register of deeds and mortgages and surrogates respectively.

**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 April 12, 1921.

## CHAPTER 310.

An Act vesting in the city of Elizabeth, a municipal corporation, all right, title, interest and fees to a certain small triangular piece of ground located at the junction of Salem avenue and North Broad street in the city of Elizabeth.

WHEREAS, On the twenty-seventh day of August, one thousand seven hundred and seventy-three, Edward Thomas did convey to Abner Woodruff, Stephen Hinds and David Lyon in consideration of the sum of three (3) pounds, ten (10) shillings, current money of New Jersey, at eight (8) shillings the ounce, all that small triangular piece of ground or lot of land lying and being at the north end of Elizabeth Town in the borough (now city) of Elizabeth, whereon there now (then) stands a schoolhouse, which said tract of ground is more particularly described as follows:

Preamble.

Beginning at the southeast corner of a lot of land belonging to Edward Thomas, lately belonging to Barnabas Shute; thence running south 30 degrees and 40 minutes west 3 chains and 49 links to a stake; thence north 28 degrees 15 minutes west 3 chains and 40 links; thence 2 chains to the beginning corner, containing by estimation one-third part of an acre be it more or less. Which said premises were conveyed to said Abner Woodruff, Stephen Hinds and David Lyon their heirs and assigns and the survivor and survivors of them forever (upon this special trust and confidence), that the same piece of ground aforesaid with the schoolhouse thereupon and all other members, and appurtenances to the same belonging or in anywise appertaining, be and remain to the only proper use, benefit and behoof of the inhabitants of Elizabethtown aforesaid that dwell in that part of the

Boundaries  
of lot.

town commonly called the North End for the intent and purpose of a schoolhouse for the education of their children forever. Which said deed was duly acknowledged on the 23rd day of September, 1773, and recorded in the clerk's office of Union county, April 15th, 1859, in book 5 of deeds for Union county on pages 159, et cetera; and

Preamble. WHEREAS, Said property was used continually for nearly one hundred years for school purposes, down to about the year 1861, when the school was discontinued and the school building soon after torn down; and

Preamble. WHEREAS, No ownership or possession has been exercised over it by said trustees, their successors or heirs for upwards of six years, and no taxes or assessments appears to have been levied or paid against said property down to the present time; and

Preamble. WHEREAS, In recent years the city of Elizabeth has been in possession of same and has maintained said property as a public park; and

Preamble. WHEREAS, The original grantees in said deed have all died without having conveyed said property, nor has the same been conveyed by the survivor or survivors of them or any of their heirs; and

Preamble. WHEREAS, The requisite publication of notice of intention to apply for the passage of this act has been duly given and published; therefore,

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

Title vested  
in Elizabeth.

I. All the right, title, interest and fee in and to a small triangular piece of ground located in the north end of the (then) borough now city of Elizabeth at the junction of Salem avenue and North Broad street, Union county, New Jersey, more particularly described as follows:

Description  
of land.

Beginning at the southeast corner of a lot of land belonging to Edward Thomas, lately belonging to Barnabas Shute; thence running south 30 degrees and 40 minutes west 3 chains and 49 links to a stake; thence north 28 degrees 15 minutes west 3 chains and 40 links;

thence 2 chains to the beginning corner, containing by estimation one-third part of an acre be it more or less, is hereby granted to and vested in the city of Elizabeth.

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

Approved April 12, 1921.

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CHAPTER 311.

An Act validating proceedings for the sale of school bonds by any city of this State.

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

1. All proceedings heretofore taken and sale of school bonds made by any city of this State is hereby ratified, validated, approved and confirmed, notwithstanding the failure on the part of any officer to publish notice of the sale of said bonds the required number of times as now provided by law.

Issue of school bonds validated.

2. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 312.

A Supplement to an act entitled "An act to regulate fees" (Revision of 1877).

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

1. From and after the passage of this act the fees of constables for services rendered under the provisions of

Fees of constables

the act to which this act is a supplement shall be as follows:

For serving warrants, .....	\$1.50 each.
Mileage on account of prisoner (one way where constable is obliged to pay prisoner's way), .....	.06 per mile.
Service of subpoenas if over one mile, ..	.50
Attending prisoner at examination before justice, .....	1.00
Prisoner's mileage, one way, .....	.06 per mile.

2. This act shall take effect immediately.

Approved April 12, 1921.

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### CHAPTER 313.

An Act vesting the title to real estate of which James Gleason died seized, and which is alleged to have escheated to the State of New Jersey, in James Plunket and Owen Plunket.

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

Vestment  
of title.

1. All the right, title, estate and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to certain real estate, heretofore belonging to one James Gleason, are hereby vested in James Plunket and Owen Plunket, and such title so as aforesaid vested under the provisions of this act is validated and confirmed.

2. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 314.

A Supplement to an act entitled "An act relating to boroughs" (Revision of 1887), 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. In addition to the officers to be elected by the people under the provisions of the foregoing entitled act there may be elected at the same time and in the same manner that other officers are elected under the provisions of said act two constables who shall hold office for the term of three years, and shall be invested with all the powers and authority of the several constables of this State.

Election of constables.

Term.

2. This act shall take effect immediately.  
Approved April 12, 1921.

## CHAPTER 315.

An Act for the relief of Elaine Rosser, widow of Assemblyman-elect John B. Rosser.

WHEREAS, John B. Rosser, a resident of the city of Hoboken, in the county of Hudson and State of New Jersey, was duly elected a member of the General Assembly from the said county of Hudson, at the general election held on November second, one thousand nine hundred and twenty;

Preamble.

AND WHEREAS, The said John B. Rosser thereafter departed this life;

Preamble.

- Preamble.** AND WHEREAS, The said John B. Rosser left him surviving, Elaine Rosser, his widow; now therefore,  
 BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*
- Payment.** 1. That there be paid to the said Elaine Rosser, from the treasury of this State, the sum of five hundred dollars, such payment to be made by the Treasurer, upon the warrant of the Comptroller.
- Salary as pension.** 2. Said payment being in the nature of a pension to the widow of the deceased Assemblyman-elect from Hudson county and is in the amount only of the salary which would be paid to the Assemblyman-elect had he lived; and further, that the vacancy thus caused has not been filled, the State not incurring any extra expense by this death and by the passage of this act in the nature of a pension for the relief of Elaine Rosser.
3. This act to take effect immediately.  
 Approved April 12, 1921.

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CHAPTER 316.

An Act authorizing the State House Commission to acquire by gift, grant, purchase or condemnation land for the erection thereon of a building for the housing of various boards, commissions and departments of the State.

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

- Office building for State purposes.** 1. The Governor, State Treasurer and Comptroller of the Treasury, constituting the State House Commission, are hereby authorized to acquire by gift, grant, purchase, or by condemnation in the manner provided 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), through municipal action, or in any other lawful manner, in the name of the State and for its use, so much land in the city of Trenton, in such location as in their discretion they may deem advisable, and build thereon such building as may be necessary for the housing and accommodation of various boards, commissions and departments of the State. The sum of three hundred and fifty thousand dollars is authorized to be used for said purpose or purposes, when specifically appropriated in the manner provided by law.

Appropriation.

2. This act shall take effect immediately.

Approved April 12, 1921.

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#### CHAPTER 317.

An Act authorizing municipalities of the State to issue bonds, notes or other obligations for the purpose of paying any indebtedness to the county in which said municipal corporations are located arising out of any agreement or provided for or contemplated in any ordinance or resolution heretofore adopted by the governing body of any such municipality to bear any part of the cost of constructing a county road or roads, and validating all such agreements, ordinances and resolutions.

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

1. Any municipality of the State of New Jersey may issue its bonds, notes or other obligations for the purpose of paying any indebtedness to the county in which said municipality is located, arising out of any agreement made by said municipality with said county or

Bond issue  
by municipality  
for county road.

provided for or contemplated in any ordinance or resolution heretofore adopted by the governing body of any such municipality to bear a proportion of the cost of constructing a county road or roads. Said bonds, notes or other obligations shall be issued in the manner provided for by chapter 252, Laws of New Jersey, 1916, as amended and supplemented.

Action and  
contracts ap-  
proved.

2. All contracts and agreements heretofore made by any municipality with the county in which said municipality is located, for, and all ordinances and resolutions providing for or contemplating, the payment by said municipality of any proportion of the cost of improving a county road or roads, are hereby ratified, approved and confirmed.

3. This act shall take effect immediately.

Approved April 12, 1921.

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#### CHAPTER 318.

An Act to amend an act entitled, "An act to establish, encourage and maintain volunteer fire departments," approved April nineteenth, 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 to which this act is amendatory, be and the same is hereby amended to read as follows:

Compensation  
for volunteer  
firemen.

Each and every active volunteer fireman doing public fire duty under the control or supervision of any common council or other governing body of any municipality, or any board of fire commissioners of such municipality, or of any fire district where they and each of them are not otherwise personally compensated for their services, so voluntarily rendered, may upon the adoption

of a resolution or ordinance by the common council or other governing body of such municipality receive each year such sum as shall be authorized by the municipal government the same to be paid to them as other obligations are paid by said municipality out of the moneys raised by general tax levy, to cover any losses they and each of them may incur in attending upon and putting out fires in the municipality under and within which they may be doing public fire duty.

Money raised  
by tax levy.

This act is to take effect immediately.

Approved April 12, 1921.

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CHAPTER 319.

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. 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.

Additional  
normal school.

Name.

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 State Normal Schools now maintained in this State.

Control.

3. The State Board of Education shall purchase a suitably located site in Hudson county, and shall erect

Site.

thereon a building or buildings for the use of said normal school.

**Contract.**  
**Employees.** 4. The erection and furnishing of said building or buildings shall be done by contract. Said board may employ 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. No expense shall be incurred or moneys expended until an appropriation therefor shall have been made by the Legislature in an annual appropriation act.

**Report.** 6. The said board shall make to the Legislature at each session, until said building or buildings shall be completed, a full and detailed report of its proceedings and expenditures under this act.

7. This act shall take effect immediately.

Approved April 12, 1921.

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#### CHAPTER 320.

An Act to amend an act entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes' (Revision of 1918), approved March fourth, nineteen hundred and eighteen," which amendment was approved April twenty-first, nineteen hundred and twenty.

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

**Section 203**  
**amended.**

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

**Tax exemp-**  
**tions:**

203. The following property shall be exempt from taxation under this act, namely:

**U. S. securi-**  
**ties;**

(1) (a) The bonds and other securities of the United States (other than circulating notes of national

banking associations and United States legal tender notes and other notes and certificates of the United States, payable on demand and circulating or intended to circulate as currency, and gold, silver or other coin):

(b) All bonds, securities, improvement certificates and other evidences of indebtedness, heretofore or hereafter issued by this State or by any county thereof, or by any taxing district or school district of this State.

State, county,  
etc.;

(c) The personal property owned by citizens or corporations of this State, situate and being out of the State upon which taxes shall have been actually assessed and paid within twelve months next before October first, being the day prescribed by law for commencing the assessment.

Personal prop-  
erty outside  
State;

(2) The property of the United States and of the State of New Jersey: property of the respective counties, school districts and taxing districts, when located therein and used for public purposes, or for the preservation or exhibit of historical data, records or property, but this exemption shall not include real property bought in for debts or on foreclosure of mortgages given to secure loans out of public funds or out of money in court, which property shall be taxed unless devoted to public uses.

Public prop-  
erty;

(3) Any real estate or personal property owned and used for military purposes by any organization under the jurisdiction of this State, or of the United States, on condition that all income derived from said property above the expense of its maintenance and repair, shall be used exclusively for such military purposes; and, any building, real estate or personal property used by an organization composed entirely of veterans of any war of the United States.

Property used  
for military  
purposes;

(4) All buildings actually used for colleges, schools, academies or seminaries: all buildings actually used for historical societies, associations or exhibitions, when owned by the State, county or any political subdivision thereof, all buildings actually and exclusively used for public libraries, religious worship, or asylums or schools for feeble minded or idiotic persons and children: all buildings used exclusively by any association or corpora-

Schools,  
colleges,  
churches, li-  
braries, etc.

tion formed for the purpose and actually engaged in the work of preventing cruelty to animals: all buildings actually and exclusively used in the work of associations and corporations organized exclusively for the moral and mental improvement of men, women or children, or for religious, charitable or hospital purposes, or for one or more of such purposes: the building actually occupied as a parsonage by the officiating clergyman of any religious corporation of this State, to an amount not exceeding five thousand dollars: the land whereon any of the buildings hereinbefore mentioned are erected, and which may be necessary for the fair enjoyment thereof, and which is devoted to the purposes above mentioned and to no other purpose, and does not exceed five acres in extent: the furniture and personal property in said buildings if used in and devoted to the purposes above mentioned; *provided, however*, in the case of all the foregoing, that said buildings, or the lands on which they stand, or the associations, corporations or institutions using and occupying the same as aforesaid, are not conducted for profit, except that the exemption of the buildings and lands, used for charitable, benevolent or religious purposes shall extend to cases where the charitable, benevolent or religious work therein carried on is supported partly by fees and charges received from or on behalf of beneficiaries using or occupying the said building; *provided*, the building is wholly controlled by and the entire income therefrom is used for said charitable, benevolent or religious purposes; *provided, further*, that the foregoing exemptions shall apply only where the association, corporation or institution claiming the exemption owns the property in question and is incorporated or organized under the laws of this State and authorized to carry out the purposes on account of which such exemption is claimed: the funds of all charitable and benevolent institutions and associations collected and held exclusively for the sick and disabled members thereof, or for the widows of deceased members, or for the education, support or maintenance of the children of deceased members, and all endowments and funds held and administered exclusively for chari-

Proviso.

Proviso.

Proviso.

Funds of  
charitable  
societies;

table, benevolent, religious or hospital purposes within this State.

(5) The shares of stock of any corporation of this State which by contract with the State is expressly exempted from taxation, and the shares of stock of any corporation of this State the capital or property whereof is made taxable to and against said corporation.

Stock of certain corporations;

(6) Graveyards not exceeding ten acres of ground, and cemeteries and buildings for cemetery use erected thereon.

Burial grounds;

(7) The real and personal property of any exempt firemen's association, firemen's relief association and volunteer fire company incorporated under the laws of this State and which is used exclusively for the purposes of such corporations.

Fire companies;

(8) All offices and franchises, and all property used for railroad and canal purposes, the taxation of which is provided for by any other law of this State.

Railroads and canals;

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

Firemen, soldiers, etc., exemptions;

\$500 exemption;

Where exempt.

Evidence of  
right of ex-  
emption.

Certificate  
furnished.

Allowance of  
exemptions.

No charge  
for affidavits,  
certificates,  
etc.

allowed more than one exemption under this section: the right to claim exemption shall extend to cases where it has accrued before and exists on the date when taxes are due and payable: sufficient evidence to the assessor or collector of taxes of the right to the exemptions in this section authorized shall be as follows: In the case of active and exempt firemen, the certificate of the proper official in charge of the records showing that the claimant is such fireman, which shall be furnished without charge, and in the case of honorably discharged soldiers and sailors, or their widows an honorable discharge, which shall be the last discharge, or the certificate of the Adjutant-General of the State, and in the case of commissioned officers of the National Guard the certificate of the Adjutant-General of this State, and in the case of other members of the National Guard and persons engaged in any branch of the military or naval service of this State or of the United States, other than commissioned officers, the certificate under oath of the commander of their company, battery or band: in the case of commissioned officers in the military or naval service of the United States, a certificate signed by the commanding officer of such commissioned officers. Such certificates, where two or more claimants are entitled in the same taxing district, may be in the form of a list, certified and verified by oath and filed with the assessor or collector at or before the time when taxes are payable. All exemptions from taxation recited in this subdivision nine for soldiers, sailors, veterans and their widows, during widowhood, shall also be allowed immediately by such assessor or collector of taxes upon the filing with such assessor or collector of a duly verified claim in writing, on behalf of such soldier, sailor, veteran or widow, by any society incorporated under the laws of this State, to assist all soldiers, sailors, veterans and their widows, during widowhood, to obtain such exemptions from taxations and other privileges, provided by statute or otherwise, without cost or expense to any such soldier, sailor, veteran or widow, the records of which society are located in the State of New Jersey

and are open to the free use of all such soldiers, sailors, veterans and widows, and to the State of New Jersey. No charge shall be made for any affidavit, certificate or other service rendered under this subdivision nine: every record of or relating to the soldiers, sailors, and veterans of the present or former wars in which this country has been engaged, in the possession or custody of any officer or employee of this State or of any municipality of this State, shall be considered to be public records and shall be free and open, at all times, for the purpose of obtaining information to aid in the preparation of the claims for exemption from taxation referred to in this act: all such officers shall give the required certificates for the purposes herein named without charge therefor. The city council, board of commissioners, township committee or other governing body of each municipality of this State may return all taxes collected, which taxes would have been exempt had proper claims, in writing, been made therefor, by or on behalf of such soldiers, sailors, veterans or widows, of the present or any former war in which this country has been engaged.

Return of  
taxes col-  
lected.

(10) Mortgages or debts secured by mortgages on any property which is by the provisions of this act exempt from taxation.

Mortgages;

(11) Any personal property or real estate not exceeding two hundred and fifty acres in extent, owned and actually and exclusively used by any corporation organized under the laws of New Jersey to provide instruction in agricultural pursuits for soldiers and sailors of the United States who have been permanently crippled while in active service in time of war; *provided*, that all income derived from said property in excess of the expense of its maintenance and operation, shall be used exclusively for the benefit of such crippled soldiers and sailors.

Property used  
by crippled  
soldiers;

Proviso.

(12) Household furniture and effects to a value not exceeding one hundred dollars in amount, when located and used in the residence of the owner thereof.

Household  
goods;

(13) Shares of the capital stock of banks, banking associations and trust companies the taxation of which

Bank stock;

Turnpikes;

is provided for by any other law or laws of this State.

(14) The turnpike road of any turnpike company used by the public without the payment of tolls.

Metals in transit.

(15) The metal contents of ores and unrefined metals owned by nonresidents of New Jersey and stopped in transit through the State for the purpose of refining.

2. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 321.

An Act to amend an act entitled, "An act relative to the cancellation of mortgages given to building and loan associations," approved April seventh, one thousand nine hundred and nineteen.

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 is hereby amended so as to read as follows:

Authorization necessary for cancellation.

1. No mortgage given to any building and loan association of this State, or doing business therein, shall be cancelled of record by the county clerk or register of deeds of any county in this State, unless there shall be endorsed upon or attached to said mortgage an authorization to cancel the same, over the signatures of the president or vice-president and secretary or treasurer of said association, with its corporate seal affixed thereto, *provided, however,* that where the cancellation of a mortgage, as provided for in this act, has heretofore been authorized and the said mortgage has been lost or destroyed before cancellation, it shall and may be lawful for the officers herein named, under the seal of such corporation to make and deliver a satisfaction piece, duly acknowledged, and attached to which shall be an

Proviso.

affidavit by some person having knowledge of such loss or destruction and setting forth the facts thereof, and upon the production of such satisfaction piece with said affidavit attached thereto to the county clerk or register of deeds of the county wherein the original mortgage is recorded, such production shall be warrant and authority in law for the cancellation of said lost or destroyed mortgage.

2. This act shall take effect immediately.

Approved April 12, 1921.

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#### CHAPTER 322.

A Supplement to an act entitled "An act to establish a State Highway System, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof," approved March thirteenth, one thousand nine hundred and seventeen.

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

1. Route No. 1 of the State Highway System as described and designated in section one of the act to which this act is a supplement shall begin at the entrance of the vehicular tunnel under the Hudson river in Jersey City, county of Hudson, proposed to be constructed by the States of New Jersey and New York, instead of the point of beginning as described in section one of the act to which this act is a supplement, and shall run from thence through the city of Jersey City and the county of Hudson, to, through and beyond the city of Newark in the county of Essex, to and through the city of Elizabeth in the county of Union, to the point of beginning of said route No. 1 as described or designated in the

act to which this act is a supplement, and from thence shall continue as described in said act.

Route 2.

2. Route No. 2 of the State Highway System, as described or designated in section one of the act to which this act is a supplement, shall be extended from the terminal point of said route at the city line of the city of Camden in the county of Camden, through the said city of Camden to the approach or entrance of the bridge proposed to be constructed over the Delaware river by the States of New Jersey and Pennsylvania.

Routes over  
city streets.

3. Wherever any State highway shall run through a city having a population of seventy-five thousand or more, over streets or roads formerly under the jurisdiction of said city, such city shall retain in all such streets or roads all its former jurisdiction and rights as to the construction and regulation of the use of all water, sewer, gas and other sub-soil conduits and structures.

4. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 323.

An Act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to provide and furnish an office for the use of the county superintendent of schools, at the county seat of the several counties of this State, and to aid in maintaining the same," approved April sixteenth, one thousand nine hundred and eight,' which said amendatory act was approved April twenty-seventh, one thousand nine hundred and eleven," which said amendatory act to said amendatory act was approved February twenty-third, one thousand nine hundred and eighteen.

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

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

2. Amend section two of said act so that it shall read as follows:

2. A sum of money shall be appropriated annually by said board of chosen freeholders and paid monthly to the county superintendent of schools toward the expenses incurred for clerical assistants in said office; *provided, however,* that in the case of each clerical assistant the initial annual salary shall not be less than one thousand dollars in counties with a population of one hundred thousand or more according to the latest United States census and not less than eight hundred dollars in all other counties, and the increase shall in no case be less than one hundred dollars for each year of satisfactory service until sixteen hundred dollars is reached in counties with a population of one hundred thousand or more according to the latest United States Clerk to county superintendent.  
Proviso.  
Salary.

Proviso. census and twelve hundred dollars is reached in all other counties; *provided, further, however*, that nothing in this act shall be construed to prevent any board of freeholders from appropriating and paying more than the maximum named herein toward the expenses incurred for a clerical assistant or for clerical assistants in said office of the county superintendent of schools;

Proviso. *provided, further, however*, that in the case of clerical assistants now in office, years of service rendered by them prior to the passage of this act may, in the discretion of the board of freeholders, be counted in fixing the salary of such clerical assistants. The amount of such expenses incurred for such clerical assistants shall be fixed by the county superintendent of schools with the approval of the board of chosen freeholders. The clerical assistants shall be selected and appointed by the county superintendent of schools.

Amount fixed.

This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 324.

An Act to amend an act entitled "An act for the assessment and collection of taxes," (Revision of 1918), approved March fourth, nineteen hundred and eighteen.

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

Section 401 amended.

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

Assessment of real estate.

401. (1) The assessor shall ascertain the names of the owners of all real property situated in his taxing district, and shall, after examination and inquiry, determine the full and fair value of each parcel of real prop-

erty situated in the taxing district at such price as, in his judgment, such parcel would sell for at a fair and bona fide sale by private contract on the first day of October next preceding the date on which the assessor shall complete his assessments, as hereinafter required, and said assessor shall make a list in tabular form of the names of the owners, and set down in proper column opposite each name the description and area of each parcel sufficient to ascertain its location and extent and the value of each parcel as determined by the assessor. Property held in trust shall be assessed in the name of one or more of the trustees as such, separately from his individual assessment. If the name of the owner of any parcel shall be unknown, it shall be so entered in the list of names, and where an owner is not known to reside in the taxing district, the list shall describe him as non-resident. When the line between taxing districts divides a tract of land, each part shall be assessed in the taxing district where located. In listing the name of owners and properties the assessors shall follow such forms and methods as may be prescribed by the State Board of Taxes and Assessment, and said board may by rule direct the assessor in any taxing district to determine the true value of each parcel of real estate assessed by him without the buildings and improvements and to note the same on the list, and to determine and note separately the true value of every building and other structure on each parcel, and add and carry out the same as the assessed value of the parcel, and in such case the receipt given for the payment of the tax shall contain such separate valuations. Said board may also by rule direct the assessor in any taxing district to enter on his list separately the number of acres of arable land, of meadow pasture land, of woodland, and of uncultivated upland and swamp land in each parcel as near as can be. The assessor shall enter in a separate list a description of all cemeteries, churches, public buildings and other real property exempt from taxation, and all exempted personal property, with the name of the owner, and shall value such land and buildings and personal property at their true value in the same manner as other real and

Basis of valuation.

List of owners.

Property held in trust.

If owner unknown.

Property in different districts.

Rules to be followed.

Character of land entered.

List of exempted property.

personal property, and in each case he shall state the ground of exemption, and where the compensation of the assessor is a fixed sum per name, he shall receive the same compensation per name for such exemption.

Assessments  
by block system or house  
number.

2. In taxing districts having adopted block assessment maps, it shall be the duty of the assessor in making assessment for taxes to describe the real property by block and lot numbers as shown upon the assessment map. In taxing districts having a system of numbering houses by street numbers, it shall be the duty of the assessors to add to any other description of real property required to be made, the proper street number of such real property.

Transfer of  
ownership of  
real estate.

3. In all taxing districts, whether assessment maps have been adopted or not, when any change of ownership of real estate occurs, the new owner may present his deed or other evidence of title to the assessor or other proper custodian of the assessment maps, if any there be, which officer shall properly note and record on the books and maps, if any, the proper change of ownership, and shall certify that he has done so upon the deed or other instrument of transfer and in case no such certificate shall appear on such deed or instrument, it shall be the duty of the county clerk or register of deeds, with whom such deed or instrument is filed for record, within one week thereafter, to present an abstract of such deed or instrument to such assessor, collector or other custodian as aforesaid, who shall properly note and record the change, which said abstract so furnished by the county clerk or register of deeds shall contain the names of the grantor and grantee and an exact description of the property conveyed, as set forth in said deed of conveyance, together with the date of the presentation of said instrument of conveyance to said county clerk or register of deeds. And the county clerk or register of deeds shall not receive such deed or instrument for record unless he is paid the fee of forty cents for such abstract, and he shall not require any fee from the assessor or custodian for the certification and abstract as aforesaid.

Fee to be  
paid.

Approved April 12, 1921.

## CHAPTER 325.

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 tenth, one thousand nine hundred and nineteen,

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

1. Section two hundred and fifty-five of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows:

Section 255 amended.

255. (1) The general administration and responsibility for the proper operation of the retirement system and for making effective the provisions of this article is hereby vested in a board of trustees, which shall be organized immediately after the passage of this act. The said board shall from time to time establish rules and regulations for the administration and transaction of its business and for the control of the funds created herein, and shall perform such other functions as are required for the execution of the provisions of the retirement system.

Operation of system vested in board of trustees.

Functions of trustees.

(2) The membership of the board of trustees shall consist of the following:

Membership:

(a) The Commissioner of Education of the State of New Jersey; *provided*, that the commissioner may appoint the assistant commissioner, who acts in his place during his absence, to serve in his stead.

Commissioner;

Proviso.

(b) The Treasurer of the State of New Jersey.

State Treasurer;

(c) One trustee appointed by the Governor of the State of New Jersey to serve until the first day of September, nineteen hundred and twenty-one. His successor shall be appointed each for a term of three years.

Trustee appointed by Governor;

Three teachers; terms.	(d) Three trustees elected from among the members of the retirement system, one to serve for one year, one to serve for two years and one to serve for three years from the first day of November following their election.
Residence.	One of such trustees shall be a resident of and employed in either the county of Hudson, Essex or Bergen; one a resident of and employed in either the county of Passaic, Sussex, Warren, Morris, Union, Hunterdon, Somerset, Middlesex, Mercer or Monmouth; and the third a resident of and employed in either the county of Ocean, Burlington, Camden, Gloucester, Salem, Cumberland, Atlantic or Cape May. Their successors shall be elected for a term of three years from among the members of the retirement system.
Election of successors.	(e) One trustee, not a teacher nor an officer of the State, elected by the other trustees, to serve until the first day of January, nineteen hundred and twenty-one, whose successor shall be elected in the same manner for a term of three years.
Non-representative trustee;	A vacancy occurring in the board of trustees shall be filled for the unexpired term in the same manner as herein provided for regular appointment or election.
Vacancy.	(3) Until the election of the three trustees from among the members of the retirement system the Commissioner of Education, the State Treasurer and the trustee appointed by the Governor, are empowered to perform the duties of the board of trustees. All rules and regulations adopted by them shall be subject to change by the entire board when the membership of such board shall be completely filled.
Pending choice of teacher trustees;	(4) An annual convention of the retirement system shall be held at the State House in Trenton, at twelve o'clock, noon, on the second Saturday in October each year, beginning with the year nineteen hundred and nineteen, for the purpose of electing members of the board of trustees of the retirement system, and receiving the report of said board of trustees and for the transaction of such other business as may properly be within its jurisdiction. Said convention shall be composed of delegates from each county in the State, selected as hereinafter provided. Said convention shall
Annual convention;	
Purpose.	
Delegates.	
Organization.	

be called to order by a member of the board of trustees, designated by said board, and shall organize by the election of a chairman and a secretary. Each county shall be entitled to be represented in such convention by one delegate for each two hundred members of the retirement system in said county and one delegate for any fraction over one hundred; *provided*, that each county shall be entitled to at least one delegate. Said delegate shall be elected by the vote of a majority of the members of the retirement system voting at a meeting held for the purpose of electing such delegates. Said meeting for the election of delegates shall be held at such convenient place as shall be selected by the county superintendent of schools. Notice of the time and place of said meeting shall be issued by said county superintendent at least ten days before the date of said meeting. Said meeting shall organize by the election of a chairman and secretary. Said secretary shall, within five days after said meeting, forward to the board of trustees of the retirement system a certificate containing the names and addresses of the delegates elected to the annual convention, and shall furnish the delegates elected with a certificate of their election. In case of a vacancy in the delegation from any county, the remaining delegates from such county may fill such vacancy by appointing a member in said county, who shall possess the qualifications hereinbefore prescribed for delegates to such convention. A majority of all of the delegates entitled to seats in said convention shall constitute a quorum for the transaction of business.

#### Administrative Staff and Procedure.

(5) Each member of the board of trustees shall, upon his appointment or election, take an oath of office that, so far as it devolves upon him, he will diligently and honestly administer the affairs of the said board, and that he will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to the retirement system. Such oath shall be subscribed to by the member making it, and certified by the officer before whom it is taken, and shall be immediately filed in the office of the Secretary of State.

Basis of representation.

Proviso:

Majority to determine.

Notice.

County meetings.

Credentials of delegates.

Vacancies.

Quorum.

Oath of trustees;

- Voting by trustees; (6) Each trustee shall be entitled to one vote in the board. Four votes shall be necessary for a decision by the trustees at the meeting of said board. The board of trustees shall keep a record of all of its proceedings, which record shall be open to public inspection.
- Records. (7) The board of trustees shall elect from its membership a chairman, shall by a majority vote of all its members appoint a secretary, who may be elected from its members, and shall fix his compensation and term of employment, shall engage such actuarial and other technical service, and shall appoint such employees as may be necessary to transact the business of the retirement system. The actuary shall be the technical advisor of the board of trustees on matters regarding the operation of the funds created by the provisions of this article, and shall perform such other duties as are required in connection therewith. The Attorney-General of the State of New Jersey shall be the legal advisor of the board of trustees.
- Chairman, actuary, etc. (8) The actuary of the board shall recommend and the board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds of the retirement system.
- Duties of actuary; (9) The board of trustees shall publish annually a report showing a valuation of the assets and liabilities of the funds, certifying as to the accumulated cash and securities of the funds and giving an account of the operation of the system. The said board shall submit said report to the Governor and shall furnish copies thereof to the office of the State Department of Education, the State Treasurer and to each employer for the use of the members and the public.
- Legal advisor. (10) The members of the board of trustees shall serve without compensation, but shall be reimbursed from the expense fund for any necessary expenditures. No teacher shall suffer loss of salary or wages through serving on the board of trustees. Compensation for all other personal service to the retirement system shall be fixed by the board.
- Data as to funds; (11) The board of trustees shall establish itself in an office for the administration of the retirement system in
- Annual report;
- No compensation—expenses met;
- Office of trustees;

such city as it shall consider most suitable for the transaction of its business.

Management of Funds.

(12) The board of trustees shall be the trustees of the several funds created by this article and shall have full power to invest the same, subject to all the terms, conditions, limitations and restrictions imposed by law upon investment of sinking funds in the making and disposing of their investments; and, subject to like terms, conditions, limitations and restrictions, said trustees shall have full power to hold, purchase, sell, assign, transfer or dispose of any of the securities and investments in which any of the funds created herein shall have been invested, as well as of the proceeds of said investments and any moneys belonging to said funds.

Investments;

(13) The board of trustees shall annually allow regular interest on the mean amount for the preceding year in each of the funds, with the exception of the expense fund. The amount so allowed shall be due and payable to said funds, and shall be annually credited thereto by the board of trustees, from the interest and other earnings on the moneys of the retirement system. Any additional amount required to meet the interest on the funds of the retirement system shall be included in the amount certified to the State Comptroller as necessary to make the payments to the various funds of the retirement system from the school apportionment fund for the ensuing school year.

Interest;

Additional amount to meet interest.

(14) The Treasurer of the State of New Jersey shall be the custodian of the several funds. All payments from said funds shall be made by him only upon voucher signed by the chairman and countersigned by such other person as may be designated by the board of trustees.

Custodian of various funds;

(15) For the purpose of meeting disbursements for pensions, annuities and other payments there may be kept an available fund, not exceeding ten per centum of the total amount in the several funds of the retirement system, on deposit in any bank in this State, organized under the laws thereof, or under the laws of the United States or in any trust company incorporated by any law

Ready money on deposit;

Proviso.

of this State; *provided*, that the sum deposited in any one bank or trust company shall not exceed twenty-five per centum of the paid up capital and surplus of said bank or trust company.

Trustees not to have interest in investments.

(16) Except as herein provided, no trustee and no employee of the board shall have any interest, direct or indirect, in the gains or profits of any investment made by the board of trustees, nor as such directly or indirectly receive any pay or emolument for his services. And no trustee or employee of the board shall directly or indirectly, for himself or as an agent in any manner use the same, except to make such current and necessary payments as are authorized by the board of trustees; nor shall any trustee or employee of the board become an endorser or surety or become in any manner an obliger for moneys loaned by or borrowed of the board of trustees.

2. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 326.

An Act to amend an act entitled "An act concerning sinking funds and sinking fund commissions," approved March twenty-ninth, one thousand nine hundred and seventeen.

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

Section 8 amended.

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

Investment of sinking fund moneys.

8. Investment of sinking fund moneys shall be limited to the bonds of the government of the United States, or bonds of the State of New Jersey, or the bonds of any county, school district or municipality of

this State, or the negotiable notes or certificates of any county, municipality or school district of this State.

*Providing* that the date of maturity of investments for sinking fund account shall be such that with subsequent accretions to the fund there shall be moneys on hand to pay the several issues of bonds as they fall due. Proviso.

*Provided*, if the judgment of the majority of the sinking fund commissioners, when securities in such fund are bonds of the United States Government known as Liberty Bonds or Victory Bond and it is inexpedient and not to the best interests of the sinking fund to sell such securities held in the fund, it shall be lawful for the said commission to borrow funds to meet maturing obligations, using as collateral for such loans any of the securities held in the fund. Proviso.

2. This act shall take effect immediately.

Approved April 12, 1921.

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#### CHAPTER 327.

A Further Supplement to an act entitled "An act to provide for the appointment of police justices in the cities of the first class," approved May eighteenth, one thousand eight hundred and ninety-four.

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

1. In cities of this State in which three criminal courts have been established, one of such courts shall be known as the "Family Court", which shall have jurisdiction over complaints made in bastardy, nonsupport and desertion cases, and all cases affecting the care, maintenance, education and neglect of children and crimes against children: said court shall be established immediately upon the expiration of terms of the police justices now holding office, and the governing body of Family court.  
Jurisdiction.  
Establishment.

such cities having the power to appoint police justices shall designate which of the justices thereafter appointed shall sit in said court and no other justice shall preside therein except in the temporary absence, disability or disqualification of such justice:

Powers and duties.

2. The Family Court shall have all the powers, duties and jurisdiction in the cases provided for in the preceding section which now are, or may hereafter be, conferred upon criminal courts in cities of the first class.

Clerk and attendants to be women.

3. The clerk and attendants of the Family Court established under this act shall be women and they shall be appointed in the same manner and at the same salary and for the same term as other clerks and attendants of criminal courts are appointed.

Existing courts not affected.

4. Nothing herein contained shall be construed to in any way effect any court which has been heretofore established in any city for the trial of women offenders, but said court shall be continued until the Family Court herein provided for shall be fully established.

5. This act shall take effect immediately.

Approved April 12, 1921.

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#### CHAPTER 328.

A Supplement to an act entitled "An act to regulate and control the business of pawn brokers and dealers in second-hand goods," approved March twenty-second, one thousand nine hundred and four.

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

Daily report of pledges and redemptions.

1. All pawn brokers or dealers in second hand goods in the State of New Jersey shall in addition to keeping a proper record of the deposit and redemption of all goods and pledges, every day, except Sunday, before the hour of eleven o'clock in the forenoon deliver to the

chief of police, or other head of the police department, in any municipality of this State where there is an established police department on blank forms to be furnished by said police department, a legible and correct transcript from the book or books in which said pawn broker or dealer in second-hand goods keeps his record of the deposit or redemption of goods and pledges showing the description of all and every article or thing received by him during the business day immediately preceding the filing of said report, together with the amount of money loaned thereon, and a description of the person making the pledge, and such report in case of business done on Saturday is to be delivered to said head of police department before eleven o'clock in the forenoon of the succeeding Monday.

2. Any person, firm or corporation failing to supply to the police department aforesaid the report aforesaid at the time herein specified, shall forfeit and pay to the city wherein such pawn broker or dealer in second hand goods has his place of business a fine or penalty of one hundred dollars for each and every offense.

Penalty for non-compliance.

3. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 329.

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

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

1. It shall be lawful for the county treasurer in the several counties of this State to advance to the prosecutor of the pleas in their respective counties, or to such

Money advanced to prosecutors to apprehend criminals.

person as he shall designate, from the funds of said county appropriated, set aside and available for court expenses, moneys necessary to defray the expenses of said prosecutor, or such person as he shall designate, to be used for the arrest, extradition and return from foreign jurisdictions of persons charged with violating the criminal laws of this State, and who are fugitives from justice; *provided, however*, that no moneys shall be advanced by the county treasurer, as in this act provided, except upon the written order of the prosecutor of the pleas, with the approval of a judge of the Court of Oyer and Terminer or a judge of the Court of Quarter Sessions of such county endorsed thereon, and except the prosecutor shall file with the county treasurer a statement of the purposes for which the money is to be used and an estimate, in reasonable detail, of the anticipated expenses.

Proviso.

Approval by court.

Statement filed.

Accounting of expenditures.

Excess returned.

2. Immediately after the person to whom the moneys have been advanced by the county treasurer, as provided in section one of this act, shall have completed the duties for which said moneys were advanced, he shall file with said county treasurer an itemized statement or account of the necessary expenses incurred in the performance of such duties, duly verified, certified to and approved under the hand of the prosecutor of the pleas, and with the written approval of a judge of the Court of Oyer and Terminer or a judge of the Court of Quarter Sessions of said county, and should such itemized statement or account so rendered and approved, as aforesaid, exceed the sum of moneys so advanced to such person, the balance thereof shall be paid to said person by said county treasurer; and in the event the sum of moneys advanced to such person, as provided in section one of this act, shall exceed the amount of such person's itemized statement or account of expenses, as the same shall be certified and approved as aforesaid, such person shall forthwith return such excess moneys to said county treasurer.

3. This act shall take effect immediately.  
Approved April 12, 1921.

## CHAPTER 330.

An Act to amend an act entitled "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 act is amendatory be and the same 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 three thousand dollars; in cities having between fifty-five thousand and two hundred thousand inhabitants, an annual salary of twenty-five hundred dollars; in cities having between twenty-five thousand inhabitants and fifty-five thousand inhabitants, an annual salary of eighteen hundred dollars; in cities having between twenty-three thousand and twenty-five thousand inhabitants, an annual salary of fifteen hundred dollars; in cities having between seventeen thousand and twenty-three thousand inhabitants, an annual salary of twelve hundred dollars; in judicial districts having one hundred thousand inhabitants or over, an annual salary of two thousand dollars; in judicial districts having between sixty thousand and one hundred thousand inhabitants, an annual salary of fifteen hundred dollars; except in counties of the first class, provision for which is hereinafter made; in judicial districts having a population of sixty thousand or less, twelve hundred and fifty dollars; except in counties of the first class where the annual salary, in judicial districts having a population of one hundred thousand inhabitants or less, shall be seventeen hundred and fifty dollars, which salaries of said clerks shall be in lieu of

Salaries of  
district court  
clerks.

- Proviso. all fees whatsoever; *provided, however*, said clerks shall devote their entire time and attention to the duties of said office daily during business hours. This act shall not apply to fourth class cities bordering on the Atlantic ocean.
- Exception.
- Repealer. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect immediately.
- Approved April 12, 1921.

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CHAPTER 331.

An Act to revive an act entitled "An act to enable cities of the second class of this State to disband volunteer fire organizations and to substitute therefor a paid department," approved April second, one thousand eight hundred and ninety-one.

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

- Act revived. 1. "An act to enable cities of the second class of this State to disband volunteer fire organizations and to substitute therefor a paid department," approved April second, one thousand eight hundred and ninety-one, which was repealed by an act entitled "An act to repeal sundry acts relative to cities," approved March twenty-ninth, one thousand nine hundred and seventeen, be and the same is hereby revived as follows:

An act to enable cities of the second class of this State to disband volunteer fire organizations and to substitute therefor a paid department.

- Disbanding  
volunteer  
fire companies  
and creating  
paid depart-  
ment.
1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the common council or other governing body of any city of the second class of this State, by

resolution, by and with the approval of the mayor, to disband any volunteer fire department or organization in such city, and to provide, by ordinance, to sell and dispose of all fire apparatus belonging to said city and provide for the creation, control and regulation of a paid fire department therein.

2. *And be it enacted*, That should any common council or other governing body of any city of this State of the second class adopt a paid fire department therein as provided by the first section of this act, the powers and duties connected with and incident to a paid fire department shall be vested in a board of commissioners; the said board of commissioners shall consist of five persons, whom it shall be lawful for the mayor of such city to appoint; the said board of commissioners to be known and distinguished as the "board of fire commissioners" of such city; the members of said board of fire commissions or other than the mayor, shall hold office for the term of one, two, three and four and five years, respectively, from the date of their appointment; the term of each member of said board to be designated by the mayor in his said appointment, and the mayor of such city shall thereafter fill all vacancies for any unexpired term and appoint a member for a full term of four years within one month of the expiration of any member's term of office, and at the expiration of each term the full term succeeding shall be for five years, and the said commissioners shall receive no pay or compensation for their services; the said board of fire commissioners when appointed as aforesaid shall, within one month after date of said appointment, take an oath, to be administered by the city clerk of any such city, to faithfully and impartially discharge and perform all the duties incumbent on members of such board, and the said board shall enter upon and discharge the duties of said board as vested by this act within one month of date of said appointment and shall proceed to select one of their number to be president of said board, who shall be chosen by a majority thereof, which said board of fire commissioners when appointed as aforesaid, shall have

Board of  
commissioners.

Appointed  
by mayor.

Terms.

Vacancies.

Oath.

President  
of board.

the control and management of the said fire department, under and by virtue of the aforesaid resolution as provided for in section one of said act.

Officers and members.

3. *And be it enacted*, That said board of fire commissioners shall have power to elect by majority vote of said board all members and officers of said fire department, and to determine and fix the compensation to be paid to each.

Permanency of positions.

4. *And be it enacted*, That the members of any such fire department, organized under and by virtue of this act, shall severally hold their respective offices and continue in their respective employments as such officers and employees during good behavior, efficiency and residence in such city, except such fire commissioners who shall hold office as provided in the second section of this act; and the term of any such officer or employee shall not be determined or depend upon the pleasure or caprice of any municipal officer, officers or board authorized to make employment or appointment in said fire department; and no person shall be removed from office or employment in such fire department of any such city for political reasons or for any other cause than incapacity, misconduct, nonresidence or disobedience of just rules and regulations established or which may be established for the fire department or force of such city.

Removals.

Certain rights preserved.

5. *And be it enacted*, That any person who shall have served two years as a member of any fire company disbanded by virtue of section one of this act shall be entitled to all the exemptions and benefits conferred by the laws of this State upon exempt firemen.

Provision for funds.

6. *And be it enacted*, That when the provisions of this act are accepted by the common council or other governing body of any city of the second class in this State, as provided for in section one of this act, it shall be lawful and it shall be the duty of the board of finance, tax commissioners or other body in such city that has control of the finances or that has the power to regulate, adjust or apportion the annual budget, expenditure or appropriation necessary to conduct the affairs of such city, to forthwith consider and apportion the amount of money or funds necessary to operate a paid fire depart-

ment, as provided for in this act; *provided, however,* that the said board of finance, tax commissioners or other body in such city as aforesaid, shall be the sole judges as to the amount of money or funds necessary to operate the said paid fire department; and should the said board of fire commissioners or any member thereof vote to exceed the amount of money or funds apportioned by said board of finance, tax commissioners or other body as herein provided, they shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment at hard labor not exceeding three years or a fine not exceeding two thousand dollars, or both.

Proviso.

Exceeding allowance.

7. *And be it enacted,* That the provisions of this act shall not take effect until May fifth, one thousand eight hundred and ninety-one, and that all acts or parts of acts and charter provisions inconsistent herewith be and they are hereby repealed.

Act effective.

Approved April 2, 1891.

2. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 332.

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 eighty-five of the act to which this is an amendment is hereby amended to read as follows:

Section 85 amended.

85. Each board of education created under the provisions of this article shall organize annually on or before the first Monday in April, or on such other day as

Annual organization.

Filling va-  
cancies.

Oath.

said board may agree upon, prior to the first Monday in April, by the election of one of its members as president and another as vice-president. A president or vice-president who refuses to perform any duty imposed upon him by this act may be removed by the majority vote of all the members of the board. If said board shall fail to organize by said day, the county superintendent of schools shall appoint, from among said members, a president and a vice-president. In case the office of president or vice-president shall become vacant, the board of education shall, within thirty days thereafter, fill such vacancy for the unexpired term; and if it shall fail to fill said vacancy within the said thirty days, the county superintendent of schools shall fill such vacancy for the unexpired term. A member of such board of education shall, before entering upon the duties of his office, take and subscribe an oath, before any officer authorized by law to administer oaths, that he possesses the qualifications to be a member of said board prescribed therefor in this article, and that he will faithfully discharge the duties of his said office. Said oath shall be filed with the district clerk of said board.

2. This act to take effect immediately.

Approved April 12, 1921.

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CHAPTER 333.

A Supplement to an act entitled "An act to revise and amend 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four," which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight.

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

Abating taxes  
on certain  
railroads.

1. If any railroad corporation in this State shall not have been in operation subsequent to December thirty-

first, one thousand nine hundred and seventeen, and prior to the approval of this act, and shall not have been under government control, or received the benefits of government control, and taxes shall have been assessed against such railroad corporation pursuant to the terms of the act to which this is a supplement, and taxes and penalties and interest thereon shall have accrued and be unpaid in such amount as to require the sale of the main stem of such railroad corporation; and if in the opinion of the Governor and the Attorney-General the existence of the transportation facilities of such railroad corporation shall be for the public welfare, then the Governor, by and with the advice of the Attorney-General, may abate or compromise and settle all or any part of the taxes and interest and penalties thereon assessed against such railroad corporation, which shall have become due and payable to the State Treasurer; and if the Governor, by and with the advice of the Attorney-General, shall determine that the continued existence of the transportation facilities of such railroad corporation is for the public welfare, and shall abate or compromise and settle any taxes, interest and penalty hereunder, he shall file such determination in the office of the Comptroller of this State, and the Comptroller shall thereupon enter upon the proper records full satisfaction of the taxes, interest and penalties thereon so abated or compromised and settled; *provided, however,* Proviso. that this act shall apply only to railroad corporations whose main stem shall be less than five miles in length, and which shall provide transportation between the main stem of a railroad which has been in continuous operation since December thirty-first, one thousand nine hundred and seventeen, and a seashore resort; *and provided,* Proviso. *also,* that this act shall not apply to any railroad corporation the property of which shall have been under the control of the Administrator of Railroads of the Federal Government, or which shall have received benefits under the Transportation act of one thousand nine hundred and twenty of the laws of the United States of America.

2. This act shall take effect immediately.

Approved April 12, 1921.

CHAPTER 334.

An Act to supplement an act entitled "An act making appropriation for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one," approved May seventeenth, one thousand nine hundred and twenty.

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

Appropriation for State office building.

1. The following sum or so much thereof as may be necessary is hereby appropriated out of the State fund for immediate use for the purposes herein specified as an additional appropriation for the fiscal year ending June thirtieth, one thousand nine hundred and twenty-one.

STATE HOUSE COMMISSION.

For providing accommodations for State boards departments and commissions, the sum of three hundred and fifty thousand dollars, .....\$350,000.00  
2. This act shall take effect immediately.  
Approved April 12, 1921.

## CHAPTER 335.

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. That section twelve of "An act concerning corporations (Revision of 1896)," approved April twenty-first, one thousand eight hundred and ninety-six, be and the same is hereby amended so as to read as follows:

Section 12 amended.

12. The business of every corporation shall be managed by its directors, who shall respectively be shareholders therein; or shareholders in a corporation holding twenty-five per cent. or more of its capital stock; they shall be not less than three in number, and, except as hereinafter provided, they shall be chosen annually by the stockholders, at the time and place provided in the by-laws, and shall hold office for one year and until others are chosen and qualified in their stead; but by so providing in its certificate of incorporation, any corporation organized under this act may classify its directors in respect to the time for which they shall severally hold office, the several classes to be elected for different terms; *provided*, that no class shall be elected for a shorter period than one year or for a longer period than five years, and that the term of office of at least one class shall expire in each year; any corporation which shall have more than one kind of stock may, by so providing in its certificate of incorporation, confer the right to choose the directors of any class upon the stockholders of any class or classes, to the exclusion of the others.

Corporations managed by directors.

Chosen annually.

Directors may be classified.

Proviso.

Terms of directors.

2. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 336.

An Act to amend an act entitled, "An act to establish a State Highway Department and to define its powers and duties; and vesting therein all the powers and duties now devolved by law upon the Commissioner of Public Roads, and the existing State Highway Commission and Highway Commission," approved March thirteenth, one thousand nine hundred and seventeen.

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

Section 1  
amended.

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

Highway  
commission—  
now composed.

1. A State Highway Department is hereby established and the same shall be governed by a board to be known as the State Highway Commission, which shall consist of eight members, two of whom shall be qualified and competent engineers, and all of whom shall be residents of the State. The Governor shall, in addition thereto, be ex officio a member of the commission.

Appointment.

The members of the State Highway Commission shall be appointed by the Governor, by and with the advice and consent of the Senate, for the following terms, to take office on the date of the appointment: Two for one year, two for two years, two for three years, and two for four years. Annually thereafter two members shall be appointed for a term of four years. The Governor shall have the power to summarily remove any or all members of the commission. Vacancies shall be filled for the unexpired terms.

Terms.

Vacancies.

Salary.

Each member of the commission shall receive an annual compensation of four thousand dollars (\$4,000). It shall be paid in the same manner as other State

salaries are now paid, and in addition thereto they shall be entitled to receive their necessary expenses.

2. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 337.

An Act to amend an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act to provide for the imposition of State taxes upon certain corporations and for the collection thereof," approved April eighteenth, one thousand eight hundred and eighty-four,' which supplement was approved March twelfth, one thousand nine hundred and six," and which amendment was approved April fifteenth, one thousand nine hundred and twenty.

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

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

1. All corporations incorporated under the laws of this State, other than those which are subject to the payment of a State franchise tax assessed upon the basis of gross receipts shall make annual return to the State Board of Taxes and Assessment on or before the first Tuesday of May in each year, and shall state therein the amount of the capital stock of such corporation issued and outstanding, on the first day of January preceding the making of said return, together with such other information as may be required by said board to carry out the provisions of this act and shall pay an annual license fee or franchise tax of one-tenth of one per centum on all accounts of capital stock issued and outstanding up to and including the sum of three million dollars;

Section 1  
amended.

Franchise tax  
on certain  
corporations.

Rate and  
classification.

on all sums of capital stock issued and outstanding in excess of three million dollars and not exceeding five million dollars, an annual license fee or franchise tax of one-twentieth of one per centum, and the further sum of fifty dollars per annum per one million dollars, or any part thereof, on all amounts of capital stock issued and outstanding in excess of five million dollars; and any shares of stock either fully paid or partially paid in cash or by property purchased whether issued or otherwise shall be deemed to be shares of stock issued and outstanding until such shares or any substitute therefor shall have been retired and actually cancelled; *provided*, that any corporation issuing shares of stock without nominal or par value, shall pay an annual license fee or franchise tax upon all shares of stock issued and outstanding, up to and including twenty thousand shares, the sum of three cents per share; on all shares in excess of twenty thousand shares and not exceeding thirty thousand shares, the sum of two cents per share; on all shares in excess of thirty thousand shares and not exceeding forty thousand shares, the sum of one cent per share; on all shares in excess of forty thousand shares and not exceeding fifty thousand shares, the sum of five mills per share, and the further sum of two and one-half mills per share on all shares of such stock issued and outstanding in excess of fifty thousand shares; *and provided, further*, that this act shall not apply to railway, canal or banking corporations, or to savings banks, cemeteries or religious corporations, or purely charitable or purely educational associations not conducted for profit, or manufacturing, or mining, or agricultural, or horticultural corporations at least fifty per centum of whose capital stock issued and outstanding is invested in mining, or manufacturing, or agricultural, or horticultural pursuits carried on within this State, and which mining, or manufacturing, or agricultural, or horticultural corporation shall have stated in its return to the State Board of Taxes and Assessment where the mining, or manufacturing establishment, or the agricultural, or horticultural pursuits of such corporation or corporations is or are located, the character

Proviso: in case no par value.

Proviso; corporations excepted.

of the ores mined or the goods manufactured, or the agricultural or horticultural pursuits engaged in, the total amount of its capital stock embarked in the business of mining or manufacturing or in agricultural, or horticultural pursuits, and the amount of capital stock actually employed in New Jersey in carrying on such mining, or manufacturing business, or agricultural, or horticultural pursuits. If any manufacturing, or mining, or agricultural, or horticultural corporation carrying on business in this State shall have less than fifty per centum of its capital stock issued and outstanding, invested in business carried on within this State, such corporation shall pay the annual license fee or franchise tax herein provided for corporations not carrying on business in this State, but shall be entitled, in the computation of such tax, to a deduction from the amount of its capital stock issued and outstanding of the assessed value of its real and personal estate so used in manufacturing, or mining, or agricultural or horticultural pursuits. In the case of a corporation engaged in the business of manufacturing, or mining, or in agricultural, or horticultural pursuits in this State as aforesaid, which has all or a part of its shares issued without nominal or par value, the location of the investment of the capital represented by such shares without nominal or par value, shall be used in determining the applicability of this act or the deduction to be made as aforesaid.

In case of  
mining and  
manufactur-  
ing companies.

Location of  
investments.

2. This act shall take effect immediately.  
Approved April 12, 1921.

## CHAPTER 338.

An Act to amend an act entitled "A supplement to an act entitled 'An act to regulate the practice of midwifery in the State of New Jersey,' approved March eighth, one thousand eight hundred and ninety-two," approved April twelfth, 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 of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Application.

2. Candidates for examination shall present to the said board, at least ten days before the commencement of the State examinations, a written application on a form or forms provided by the said board, setting forth under affidavit the name, age, nativity, residence, moral character and time spent in obtaining a common school education, or its equivalent; that the candidate has received a certificate or diploma from a legally incorporated school of midwifery in good standing at the time of issuing said certificate or diploma, granted after at least two courses of instruction of at least seven months each in different calendar years, or a certificate or diploma from a foreign institution of midwifery of equal requirements as determined by the said board, conferring the full right to practice midwifery in the country in which it was issued.

Requirements.

As to di-  
plomas.

The application must bear the seal of the institution from which the applicant was graduated. Foreign graduates must present with the application a translation of their foreign certificate or diploma, made by and under the seal of the consulate of the country in which the said certificate or diploma was issued. The appli-

cations must be indorsed by a registered physician of New Jersey.

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

3. If the application is approved and the candidate shall have deposited the sum of twenty-five dollars as an examination fee with the secretary of the said board, the candidates shall be admitted to the examination, and, in case of failure to pass the examination, may be re-examined at any regular examination within one year without the payment of an additional fee, said fee to be retained by the board after failure to pass second examination. Examination fee.

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

4. The State Board of Medical Examiners is hereby authorized and empowered to execute the provisions of this act, and shall hold examinations in midwifery in the capitol building, Trenton, New Jersey, on the third Tuesday in June and October, from ten A. M. to five P. M., or such other times and places as the said board may deem expedient. The examination may be oral, written or both, and shall be in the English language. Examinations shall be held on the following subjects: Time for examinations.

1. Anatomy of the pelvis and female generative organs; Subjects of examination.
2. Physiology of menstruation;
3. Diagnosis and management of pregnancy;
4. Diagnosis of foetal presentation and position;
5. Mechanism and management of normal labor;
6. Management of the puerperium;
7. Injuries to the genital organs following labor;
8. Sepsis and antisepsis in relation to labor;
9. Special care of the bed and lying-in room;
10. Hygiene of the mother and infant;
11. Asphyxiation, convulsions, malformation and infectious diseases of the new born;

12. Cause and effects of ophthalmia; neanatorium:

13. Abnormal condition requiring the attendance of a physician.

Fitness determined.

Said examination shall be sufficient to test the scientific and practical fitness of candidates to practice midwifery, and the board may require examination on other subjects relating to midwifery from time to time. If said examination is satisfactory, said board shall issue a license, signed by its president and secretary and attested by its seal, entitling the candidate to practice midwifery in the State of New Jersey; *provided*, that said license shall not authorize the holder to prescribe any drug or medicine except some preparation of ergot after the birth of the head of the infant, or household remedies, or attend other than cases of labor. All application papers shall be deposited in the State Library at Trenton for at least two years, when they may be destroyed; their contents shall be recorded in the official register of the board kept for this purpose which, or a certified copy thereof, shall be prima facie evidence of all matters therein contained.

Proviso.

Applications deposited in State Library.

Annual registration.

Every licensed midwife shall procure from the secretary of the said board on or before the first day of November, one thousand nine hundred and twenty-one, and on or before the first day of November, annually thereafter, an annual certificate of registration; said certificate shall be issued by the said secretary upon the payment of a fee to be fixed by said board, not to exceed the sum of five dollars; it shall be the duty of the said secretary to mail to each licensed midwife in this State on or before the first day of October, one thousand nine hundred and twenty-one, and on or before the first day of October annually thereafter, a printed blank form to be filled in by such licensed person, which form shall be returned by such licensed person on or before the succeeding first day of November to the secretary of said board properly filled in, together with fee. Upon the receipt of said form returned by such licensed person, properly filled in, and said fee, the annual certificate of registration shall be issued and transmitted. Said secretary shall annually,

Fee.

Printed blank furnished.

Certificate issued.

List of midwives.

on or before the first day of January in each year mail to each licensed midwife who has registered for the preceding year a list containing the names and post office addresses of all licensed midwives who have registered under this section for said year.

Every licensed midwife who shall continue the practice of midwifery after having failed to secure any annual certificate of registration at the time and in the manner required by this section shall be subject to a penalty of twenty-five dollars for each such failure, which said penalty shall be sued for and recovered by said board in the manner hereinafter provided for the recovery of penalties.

Penalty for practicing without license.

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

Section 6 amended.

6. Said board may refuse to grant, or may revoke any license for any of the following reasons, namely: Persistent inebriety, the practice of criminal abortion, crimes involving moral turpitude, presentation of a certificate or diploma for registration or license illegally obtained, application for examination under fraudulent representation, neglect or refusal to make proper returns to the health officers or health department of births, or of a puerperal, contagious or infectious disease, within the legal limit of time; failure to secure the attendance of a reputable physician in case of miscarriage, hemorrhage, abnormal presentation or position, retained placenta, convulsions, prolapse of the cord, fever during parturient stage, inflammation or discharge from the eyes of the new-born infant, or whenever any abnormal or unhealthy symptoms appear in either the mother or infant during labor or the puerperium; or where any person has been three times convicted of any violation of any ordinance of any local board of health regulating the practice of midwifery, and for the purpose of this provision payment of a penalty for violation of any such provision of any such ordinance shall be deemed equivalent to a conviction.

Causes for refusal or revocation of license.

On complaint  
copy fur-  
nished.

In complaints of violations of the provisions of this section, the accused shall be furnished with a copy of the complaint and given a hearing before said board in person or by attorney, and any midwife refused admittance to the examination or whose license has been revoked who shall attempt or continue the practice of midwifery, shall be subject to the penalties hereinafter prescribed.

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

Section 8  
amended.

Penalty.

Jurisdiction  
of courts.

Issue process.

8. Any person hereafter commencing or continuing the practice of midwifery in this State without first complying with the provisions of this act shall be liable to a penalty of two hundred dollars, which penalty shall be sued for and recovered by and in the name of the State Board of Medical Examiners of New Jersey. Every District Court in any city or judicial district in any county, and every Court of Common Pleas in any county is hereby empowered, upon filing of a complaint in writing, duly verified, which said verification when made by any member of the said State Board of Medical Examiners of New Jersey, or by any member of any incorporated medical society of this State or of any county of this State, may be made upon information and belief, that any person has violated any provision of this act to issue process at the suit of the State Board of Medical Examiners of New Jersey as plaintiff; such process shall be either in the nature of a summons or warrant, which warrant may issue without any order of the court or judge first being obtained against the person or persons so charged, with process, when in the nature of a warrant, shall be returnable forthwith, and when in the nature of a summons shall be returnable in not less than five or more than fifteen entire days; such process shall state what provision of the law is alleged to have been violated by the defendant or defendants, and on the return of such process, or at any time to

which the trial shall be adjourned, the said court shall proceed in a summary manner without a jury 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 shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or neglect to forthwith pay the amount of the judgment rendered against her and all the costs and charges incident thereto, to be committed to the county jail for any period not exceeding one hundred days; that the officers to serve and execute all process under this act shall be the officers authorized to serve and execute process in said courts; that said District Court or Court of Common Pleas shall have power to adjourn the hearing or trial in any case from time to time, but in such case, except in cases in which the first process was a summons, it shall be the duty of the judges of the District Court or Court of Common Pleas to detain the defendant in safe custody, unless she shall enter into bond to the said State Board of Medical Examiners of New Jersey, with at least one sufficient surety in double the amount of the penalty claimed, conditioned for her appearance on the day to which the hearing shall be adjourned, and thence from day to day until the case is disposed of, and then to abide by the judgment of the said court, and such bond, if forfeited, may be prosecuted by the said board.

Hearing.

Judgment.

Commitment for failure to observe judgment.

Bail.

A. The conviction in prosecutions under this act shall be in the following or similar form:

Form of judgment.

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

Be it remembered that on this . . . . . day of . . . . ., at . . . . ., in the said county, C. D., defendant, was by (the District Court of the city of . . . . ., or the Court of Common Pleas of the county of . . . . ., or as the case may be), convicted of violating the . . . . . section of an act entitled "A supplement to an act entitled 'An act to regulate the practice of midwifery in the State of New Jersey,' approved March eighth, one thousand eight hundred and ninety-two," approved

April twelfth, one thousand nine hundred and ten, in a summary proceedings at the suit of the State Board of Medical Examiners of New Jersey upon a complaint made by....., and further, that the witnesses in said proceeding, who testified for the plaintiff were (name them), and the witnesses who testified for the defendant were (name them).

Wherefore, the said court doth hereby give judgment that the plaintiff recover of the defendant..... dollars penalty, and.....dollars, costs of this proceeding.

Form of commitment.

B. The conviction shall be signed by the judge of the District Court or Court of Common Pleas before whom the conviction is had. In case the defendant is committed to jail in default of payment of the penalty, a commitment in the following form shall be added, beneath the judge's signature, to the conviction:

"And the said C. D. neglecting and refusing to pay the amount of the penalty above mentioned, with costs, it is hereby ordered that the said C. D. be and she hereby is committed to the common jail of the county of.....for the period of.....days, unless the said penalty and costs are sooner paid." This commitment shall also be signed by the judge, and in case of commitment of any defendant to jail, the conviction and commitment shall be signed in duplicate, and one of the duplicate copies shall serve the purposes of a warrant of commitment.

Penalty for other violations.

C. In case any person shall, after conviction of any violation of this act, be again convicted of another violation of this act or of continuing the violation for which she was previously convicted, she shall be liable to a penalty of five hundred dollars for each such violation or continuation, to be sued for and recovered in the manner above set forth. In case any defendant against whom judgment has been recovered for a penalty of five hundred dollars shall fail or neglect to forthwith pay the amount of said penalty, the court shall commit her to jail in the manner above set forth, for any number of days not exceeding two hundred days. Any penalty recovered for any violation of this act shall be

Commitment.

Disposition of penalty recovered.

paid to the said board, who shall pay one-half thereof to any incorporated medical society procuring the evidence upon which the said defendant was convicted. The other half shall be applied by the said board to the same purposes as other funds of the board collected in accordance with the provisions of this act. In case any such proceeding is brought in any Court of Common Pleas, the trial thereof shall proceed in a summary manner without a jury, as above set forth, immediately upon the arrest under warrant of the defendant, or on the return day of the summons, or on any day to which the judge of said court shall continue the said trial, either during the terms of said court or in vacation.

D. The clerk of any District Court or of any Court of Common Pleas may sign and seal any process required to be issued under this act, except a warrant of commitment. The costs recoverable in any such proceeding shall be the same as costs taxed in actions in said courts, and shall be recovered by the said board in event of conviction of the defendant. Any judgment recovered for a penalty under the provisions of this act in any District Court may be docketed in the same manner as judgments in said court are docketed under the provisions of an act entitled "An act concerning District Courts," approved June fourteenth, one thousand eight hundred and ninety-eight, and the acts amendatory thereof and supplementary thereto. Execution may issue for the collection of any judgment obtained under this act against the goods and chattels and body of the defendant without any order first.

6. All acts and parts of acts, general or special, now existing, not in accordance with the provisions of this act, or inconsistent therewith are hereby repealed.

7. This act shall take effect July first, one thousand nine hundred and twenty-one.

Approved April 12, 1921.

Signing and  
sealing proc-  
ess.

Judgment  
docketed.

Execution.

Repealer.

Act effective.

## CHAPTER 339.

A Supplement to an act entitled "An act concerning the charitable, hospital, relief, training, correctional, reformatory and penal institutions, boards and commissions, located and conducted in this State, which are supported in whole or in part from county, municipal or State funds," approved February twenty-eighth, one thousand nine hundred and eighteen, as said title was amended by act approved April eleventh, one thousand nine hundred and nineteen, providing for involuntary admissions and commitments of epileptics, exhibiting a mental state equivalent to insanity, to the New Jersey State Village for Epileptics at Skillman.

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

Epilepsy  
defined.

Admission of  
involuntary  
patient to  
epileptic vil-  
lage.

.1. Epilepsy as defined in this act shall be defined to include such persons as are afflicted with major or minor seizures, commonly known as convulsions and petit mal or jacksonian or static conditions of such disease. Such persons so afflicted, having definite psychoses equivalent to insanity such as constitutes an insane person eligible to admission or commission to a State Hospital for the Insane within the meaning of this act, so as to be of such a mental state as to be unable to care for himself properly or whose mental state is such as to make him, if at large and not confined, inimical to the welfare of those with whom he may come in contact or hurtful to himself by reason of such psychoses, may be admitted to and committed as an involuntary patient in the New Jersey State Village for Epileptics, in the same manner and by the same procedure as defined in classes A, B, C and D in section four hundred and nine of the act to which

this act is a supplement and said methods for admission for such insane persons as otherwise defined in the act to which this is a supplement are hereby made applicable to cases provided for in this act. It shall be stated in case of such admissions and commitments that the person is suffering from such definite psychoses, or the equivalent thereto, as to constitute a mental state equivalent to that of insanity. In such cases, all such persons may be admitted and confined in such institution under such procedure, subject to be released in the same manner provided in cases of insanity; *provided, however*, that this act shall not be construed to permit involuntary commitments of persons to said village suffering from epilepsy in any form, whose mental state is not equivalent to insanity and to cases which for all ordinary purposes of life are fit to be at large. All commitments under the provisions of this supplement shall be prima facie evidence that the mental state of such person is equivalent to that of insanity and that such persons in relation to society at large have such definite psychoses as to constitute them unsafe for their own welfare or that of others to be at large.

2. This act shall be considered as severable from the act to which this act is a supplement in case of partial or entire invalidity by decree of judgment of any court.

3. This act shall take effect immediately.

Approved April 12, 1921.

What statement to show.

Admission and release.

Proviso.

Commitment an evidence of mental condition.

Construing act.

## CHAPTER 340.

An Act to amend an act entitled "An act relating to, regulating and providing for the government of cities of the second class which now have or may hereafter have a population of less than twenty thousand," approved April twenty-third, one thousand nine hundred and seven.

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

City engineer.

39. There may be in every such city a city engineer, who shall be elected by city council and who shall hold office for the term of one year, and whose compensation shall be fixed by ordinance.

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 April 12, 1921.

## CHAPTER 341.

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

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

1. Any person who shall have carnal knowledge of any female who is an inmate of any home for feeble-minded women, or of any home or training school for feeble-minded girls and boys in this State, with or without her consent, shall be guilty of a misdemeanor, and punished by a fine not exceeding one thousand dollars, or imprisonment at hard labor not exceeding two years, or both.

Improper  
action.

Penalty.

2. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 342.

A Supplement to an act entitled "An act to regulate the practice of midwifery," approved March twenty-eight, one thousand eight hundred and ninety-two.

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

1. The clerk of every court wherein any person, now or hereafter licensed to practice midwifery in this State, shall be convicted of a crime, shall make a report thereof in writing to the State Board of Medical Examiners of New Jersey of such conviction upon blanks

Conviction  
of midwives  
reported to  
medical ex-  
aminers.

provided by said board, and such report shall state the name and address of such person so convicted, the date thereof, the nature of the crime of which said person was convicted and the sentence imposed by the court.

2. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 343.

An Act to amend an act entitled "An act to incorporate the Second Judicial District of the county of Essex in the State of New Jersey," approved April eleventh, nineteen hundred and nineteen.

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 is hereby amended so as to read as follows:

Municipalities  
constituting  
second judicial  
district  
of Essex  
county.

1. The following described territory, to wit: All that part of the county of Essex in the State of New Jersey, comprised within the following municipalities, to wit: The town of Irvington, the township of South Orange in the county of Essex, and the township of Millburn, be and the same hereby is established and incorporated to be the Second Judicial District of the county of Essex, and the provisions of an act entitled "An act concerning District Courts" (Revision of 1989), approved June fourteenth, one thousand eight hundred and ninety-eight, and the various amendments thereof and supplements thereto, so far as the same may be applicable, shall apply to the district hereby established.

2. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 344.

An Act to amend an act entitled "An act for the appointment of firewardens, the prevention of forest fires and the repeal of sundry acts relating thereto," approved April eighteenth, nineteen hundred and six.

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 to read as follows:

Section 13  
amended.

13. Every District Court in any city or judicial district of any county, and every justice of the peace in any city or county, and every police justice or recorder in any city or other municipality, is hereby empowered, on complaint under oath or affirmation made according to law that any person or persons has or have violated any of the provisions of this act, to issue process, in the name of the Board of Conservation and Development, as prosecutor, for the use of the State of New Jersey. Said oath or affirmation, if made by a firewarden, or by a member or officer of said board, may be upon information or belief. Said process shall be in the nature of a summons or warrant against the person or persons so charged; when in the nature of a warrant, it shall be returnable forthwith, but before any warrant shall issue out of any District Court the judge thereof shall endorse upon the complaint an order in the following or similar words: "Let the warrant issue in this case." To which said judge shall sign his name; and when in the nature of a summons, it shall be returnable in not less than one or more than ten entire days. Such process shall state what section of the law is alleged to have been violated by the defendant or defendants; and on the return thereof, or at any time to which the trial shall have been adjourned, the said District Court, justice of the peace, police justice or recorder shall proceed

Courts to  
issue process.

In nature of  
summons.

Endorsement.

Statement  
made in  
process.

Hearing.

Form of  
judgment.

summarily to hear the testimony, and to determine and give judgment in the matter without a jury and without the filing of any pleadings, either for the prosecutor for the recovery of such penalty and costs, or for the defendant or defendants. If such judgment be for the prosecutor as aforesaid, it shall be in the following or similar form:

State of New Jersey, }  
County of                    } ss

Be it remembered that on this . . . . . day of . . . . . , in the year of our Lord nineteen hundred and . . . . . at . . . . . in said county, C. D., defendant, was, by the District Court of the City of T. (or by me, E. F., justice of the peace, police justice or recorder of the city of . . . . . , or as the case may be), convicted of violating the . . . . . section of the act of the Legislature of New Jersey entitled "An act for the appointment of firewardens, the prevention of forest fires, and the repeal of sundry acts relating thereto," approved the . . . . . day of . . . . . , A. D. nineteen hundred and . . . . . , in a summary proceeding, at the suit of the Board of Conservation and Development, as prosecutor; and further, that the witnesses in said proceeding who testified for the prosecutor were (name them); and the witnesses who testified for the defendant were (name them); wherefore the said court (or justice of the peace, police justice or recorder, as the case may be) doth hereby give judgment that the prosecutor recover of the defendant . . . . . dollars penalty and . . . . . dollars costs of this proceeding, and that execution do issue against the goods and chattels of said defendant for the amount of said penalty and costs, and for want of sufficient goods and chattels whereon to levy and make the same, to take the body of the defendant and convey him to the common jail of the county and deliver him to the keeper thereof, to be there confined until the said penalty and costs be fully paid, or until he be thence delivered by due course of law." Said judgment shall be signed by the judge of the District Court, justice of the peace, police justice or recorder giving the same.

Signed by  
magistrate.

2. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 345.

An Act to amend 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.

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

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

3. Such justice of the peace, District Court, or police magistrate, upon receiving complaint in writing, duly verified, of the violation of any law specified in the first section of this act, or of any of the provisions thereof, is hereby authorized and required to issue a warrant, directed to any constable, police officer, fish and game warden, fish and game protector, or deputy fish and game warden of this State, commanding him to cause the person or persons so complained of to be arrested and brought before such justice, District Court or police magistrate, and shall thereupon, summarily hear and determine the guilt or innocence of such person or persons, without a jury, and, upon conviction, shall impose upon the person or persons so convicted the penalty or penalties prescribed, together with the costs of prosecution, for such offense, and if any person or persons shall fail to pay the penalty or penalties so imposed, together with the costs of prosecution, the said justice, District Court or police magistrate shall commit him or them to the common jail of the county where such conviction is had, for a period not exceeding ninety days, or until said penalty and costs are paid. Issuing warrant.

2. This act shall take effect immediately. Hearing.

Approved April 12, 1921. Penalty imposed.

## CHAPTER 346.

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

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

Section 193  
amended.

I. Paragraph one hundred and ninety-three of the act of which this act is amendatory be and the same hereby is amended to read as follows:

Cognizance  
of violation.

193. Every District Court in any city, or judicial district, and every justice of the peace in any county, and any police justice or recorder in any city, is hereby empowered, on oath or affirmation made according to law, that any person or persons has, or may have, violated or assisted in the violation of any provision of this act, to issue process at the suit of the State Board of Tenement House Supervision, either in the nature of a summons or warrant, against the person or persons so charged, which process shall, when in the nature of a warrant, be returnable forthwith, and when in the nature of a summons shall be returnable in not less than one or more than ten entire days; such process shall state what paragraph of this act and particular part or parts of said paragraph are 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, police justice or recorder shall proceed summarily to hear the testimony without a jury and without the filing of any pleadings, and on being satisfied of the guilt of the defendant or defendants shall render judgment for the plaintiff in the sum of one hundred dollars, if it shall appear from the evidence that the offense was

Process  
issued.

Hearing.

Judgment.

wilful; but if it shall appear from the evidence that the offense was not wilful, judgment shall be rendered for the plaintiff in the sum of fifty dollars; and the said court, justice of the peace, police justice or recorder shall, if judgment be rendered for the plaintiff, forthwith issue execution against the goods and chattels and person of the defendant or defendants, and said court, justice of the peace, police justice or recorder is further empowered to cause such defendants who may refuse or neglect to pay the amount of the judgment rendered against him, and all costs and charges incident thereto, to be committed to the county jail for a period not exceeding ninety days; and said court, justice of the peace, police justice or recorder is further empowered, in case any such defendant shall have been twice convicted of the violation of the same paragraph of this act, or of continuing the violation of which he was previously convicted, in addition to the payment of the penalty hereinbefore mentioned, to cause the defendant to be imprisoned in the county jail or county workhouse, with or without hard labor, for any number of days not exceeding one for each dollar of the penalty; *provided, however,* that no warrant shall issue against any freeholder unless affidavit shall also first be made that such freeholder is about to abscond from this State.

Imprisonment.

Proviso.

2. This act shall take effect immediately.

Approved April 12, 1921.

## CHAPTER 347.

An Act to amend an act entitled "An act to regulate the practice of optometry, to license optometrists, and to punish persons violating the provisions thereof," approved April seventeenth, one thousand nine hundred and fourteen, as amended by act approved April seventh, one thousand nine hundred and nineteen.

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 hereby is amended to read as follows:

Penalty for  
violations.

22. Any person violating the provisions of section fifteen or twenty-one of this act, and any person who shall obstruct or interfere with any duly authorized agent of the New Jersey State Board of Optometrists in the performance of any duty under this act, and any person, company or association who shall employ for a stated salary or otherwise, or give aid or assist, any person not authorized under this act to practice optometry within the meaning of this act, to practice optometry in this State, shall be subject to a penalty of one hundred dollars for the first offense, which penalty shall be used for and recovered by and in the name of the New Jersey State Board of Optometrists. Every District Court in any city or judicial district in any county, and every Court of Common Pleas in any county is hereby empowered, upon the filing of a complaint in writing, duly verified, which said verification, when made by any member of the said New Jersey State Board of Optometrists, or by any member of any incorporated optometrical society of this State or any county of this State, may be made upon information and belief that any person has violated any provision of this act to issue process at the suit of the New Jersey

Court juris-  
diction.

Complaints.

State Board of Optometrists as plaintiff; such process shall be either in the nature of a summons or warrant, which warrant may issue without any order of the court or judge first being obtained against the person or persons so charged, which process when in the nature of a warrant shall be returnable forthwith, and when in the nature of a summons shall be returnable in not less than five nor more than fifteen 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 be adjourned, the said court shall proceed summarily to hear the testimony and to determine and give judgment in the matter without a jury and 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 shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or neglect to forthwith pay the amount of the judgment rendered to forthwith pay the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for any period not exceeding one hundred days; the officers to serve and execute all process under this act shall be the officers authorized to serve and execute process in said courts; *provided, however,* that the inspector of the New Jersey State Board of Optometrists shall also be authorized to serve and execute any such process in said courts; that said District Court or Court of Common Pleas shall have power to adjourn the hearing or trial in any case from time to time and in such case except in cases in which the first process was a summons, it shall be the duty of the judge of the District Court or the Court of Common Pleas to detain the defendant in safe custody, unless he shall enter into bond to the said New Jersey State Board of Optometrists, with at least one sufficient surety in double the amount of the penalty claimed conditioned for his appearance on the day to which the hearing shall be adjourned, and thence from day to day until the case is disposed of, and then to

Process to  
issue.

Hearing and  
judgment.

Imprison-  
ment.

Proviso.

abide by the judgment of the said court, and such bond, if forfeited, may be prosecuted by the said board.

Form of judgment.

The conviction in prosecutions under this act shall be in the following or similar form:

State of New Jersey, }  
County of } ss.

Be it remembered that on this . . . . day of . . . . . in said county, C. D., defendant, was by (the District Court of the city of . . . . . or the Court of Common Pleas of the county of . . . . . or as the case may be) convicted of violating the . . . . section of an act entitled "An act to regulate the practice of optometry, to license optometrists, and to punish persons violating the provisions thereof," approved April seventeenth, one thousand nine hundred and fourteen, in a summary proceeding at the suit of the New Jersey State Board of Optometrists, upon a complaint made by . . . . . ; and further, that the witnesses in said proceeding who testified for the plaintiff were (name them), and the witnesses who testified for the defendant were (name them).

Wherefore the said court doth hereby give judgment that the plaintiff recover of the defendant . . . . . dollars penalty and . . . . . dollars costs of this proceeding.

Form of commitment.

B. The conviction shall be signed by the judge of the District Court or Court of Common Pleas before whom the conviction is had. In case the defendant is committed to jail in default of payment of the penalty, a commitment in the following form shall be added, beneath the judge's signature, to the conviction:

"And the said C. D., neglecting and refusing to pay the amount of the penalty above mentioned, with costs, it is hereby ordered that the said C. D. be and he hereby is committed to the common jail of the county of . . . . . for the period of . . . . . days, unless the said penalty and costs are sooner paid." This commitment shall also be signed by the judge and in case of commitment of any defendant to jail, the conviction and the commitment shall be signed in duplicate, and one of

the duplicate copies shall serve the purposes of a warrant of commitment.

C. In case any person shall, after conviction of any violation of this act, be again convicted of another violation of this act or of continuing the violation for which he was previously convicted, he shall be liable to a penalty of five hundred dollars for each violation or continuation, to be sued for and recovered in the manner above set forth. In case any defendant against whom judgment has been recovered for a penalty of five hundred dollars shall fail or neglect to forthwith pay the amount of said penalty, the court shall commit him to jail, in the manner above set forth, for any number of days not exceeding two hundred days. In case any such proceeding is brought in any Court of Common Pleas, the trial thereof shall proceed in a summary manner, without a jury, as above set forth, immediately upon the arrest under warrant of the defendant, or on the return day of the summons, or on any day to which the judge of said court shall continue the said trial, either during the terms of said court or in vacation.

D. The clerk of any District Court or of any Court of Common Pleas may sign and seal any process required to be issued under this act, except a warrant of commitment. The costs recoverable in any such proceeding shall be the same as costs taxed in actions in said courts, and shall be recovered by the said board in the event of the conviction of the defendant. Any judgment recovered for a penalty under the provisions of this act in any District Court may be docketed in the same manner as judgments in said court are docketed under the provisions of an act entitled "An act concerning District Courts," approved June fourteenth, one thousand eight hundred and ninety-eight, and the acts amendatory thereof and supplemental thereto. Execution may issue for the collection of any judgment obtained under this act against the goods and chattels and body of the defendant without any order first obtained for such purpose.

2. This act shall take effect immediately.

Approved April 12, 1921.

In case of further violations.

Penalty.

Inprisonment.

Proceedings in Court of Common Pleas.

Signing and sealing process.

Costs.

Judgment docketed.

Execution.

## CHAPTER 348.

An Act to amend an act entitled "An act to regulate the practice of dentistry in the State of New Jersey, and to repeal certain acts now relating to the same", approved March thirty-first, one thousand nine hundred and fifteen.

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

Section 14  
amended.

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

Recovery of  
penalties.

14. any penalty incurred by violation of any provision of this act, except by any violation specifically made a misdemeanor by this act, shall be sued for and recovered by, and in the name of, the State Board of Registration and Examination in Dentistry. Every District Court in any city and judicial district in any county, and every Court of Common Pleas in any county is hereby empowered upon the filing of a complaint in writing, duly verified, which said verification when made by any member of the said State Board of Registration and Examination in Dentistry, or by any member of any incorporated dental society of this State, or of any county of this State, may be made upon information and belief that any person has violated any provision of this act, except the provisions above referred to as misdemeanors, to issue process at the suit of the State Board of Registration and Examination in Dentistry, as plaintiff; such process shall be either in the nature of a summons or warrant, which warrant may issue without any order of the court or judge first being obtained against the person or persons so charged, which process when in the nature of a warrant shall be returnable forthwith, and when in the nature of a summons shall be returnable in not less than five nor more than fifteen

Courts to  
issue process.

Either sum-  
mons or  
warrant.

entire days; such process shall state what section of the law is alleged to have been violated by the defendant or defendants, and upon the return of such process, or at any time to which the trial shall be adjourned, the said court shall proceed summarily to hear the testimony and to determine and give judgment in the matter without a jury and 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 shall, if judgment be rendered for the plaintiff, cause any such defendant who may refuse or fail to forthwith pay the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for any period not exceeding ninety days, except in cases where the penalty is five hundred dollars, in which cases commitment may be made for a period not exceeding one hundred and fifty days.

Allegation.

Hearing and judgment.

Imprisonment.

2. This act shall take effect immediately.

Approved April 12, 1921.

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CHAPTER 349.

Supplement to an act entitled "An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898)".

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

1. In all cases where the plaintiff in error shall elect to take up the entire record with his writ of error, as provided in the act to which this is a supplement, he may assign as error, that the verdict was against the weight of evidence, whether any exception has been taken or not, or whether any motion to acquit has been made or not, and if it shall appear from a consideration of the entire evidence, that such verdict was against the

Assignment of error.

weight of the evidence the Appellate Court shall remedy such wrong by reversing such verdict and awarding a new trial.

Cases affected.

2. This act shall apply to all cases now pending but unargued in any Appellate Court.

3. This act shall take effect immediately.

Approved April 12, 1921.

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#### CHAPTER 350.

An Act to amend an act entitled "An act to abolish the State Board of Taxation and to create in lieu thereof a board for equalization, revision, review and enforcement of tax assessments," approved March twenty-ninth, one thousand nine hundred and five.

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

Section 6  
amended.

1. Section six of the act entitled "An act to abolish the State Board of Taxation and to create in lieu thereof a board for equalization, revision, review and enforcement of tax assessments," approved March twenty-ninth, one thousand nine hundred and five, is hereby amended to read as follows:

Power to in-  
crease assess-  
ment or direct  
reassessment.

6. When the said board has reason to believe from information, or otherwise, that any property, including the property of railroads and canal companies, has been assessed at a rate lower than is consistent with the purpose of securing uniform and true valuation of property for the purpose of taxation; or whenever the said board has reason to believe, from information or otherwise, that the assessment of property in any taxing district is not in substantial compliance with the law and that the interests of the public will be promoted by a reassessment of such property, the said board shall have power, after due investigation, in its discretion, to order

or make a reassessment of any property undervalued or a reassessment of all the property in such taxing district; and for this purpose, if necessary, may direct an assessor, or board of assessors, or other taxing officer to make a reassessment of any or all of such property, according to the rules which the said board shall prescribe, and if such assessor, board of assessors, or other taxing officer, shall fail or refuse to comply forthwith with the order so given, the board shall have power to appoint or designate some other person to make the new assessment under the direction of the board; and the assessment so made and affirmed by the board when certified by it to the taxing district shall be and be deemed to be the assessment of such property for the year. Notice of the investigation preceding such reassessment shall be given by the said board by publication in a newspaper circulating in the taxing district to be affected, which notice shall set forth the purpose of the investigation and specify the time when and the place where in said taxing district the taxpayers therein and the municipal officers thereof may be heard concerning the value of the taxable property of such district. Such notice shall be published at least ten days before the time appointed for said hearing and shall, not less than ten days before said hearing, be mailed to the chief executive officer and the clerk of the taxing district affected. Any such reassessment shall be completed and the valuations made therein certified to the county board of taxation of the county in which the taxing district reassessed is situate on or before the fifteenth day of March following the date of the original assessment for that year. Such valuations when so certified shall take the place for all purposes of the tax duplicates required by law to be certified by the county board and delivered to the collectors of the taxing districts on or before the first day of April in each year. The said board shall have power to make such rules and issue such orders as it may deem necessary fully to effectuate such reassessment. The board may also assess and add to the tax list and duplicate any property omitted and may correct misnomers or other errors in assessments on notice to parties con-

Notice given.

Completion  
of reassess-  
ment.

Correction of  
tax duplicate.

Allowance for  
investigation.

cerned. For such investigation the board may disburse as may be necessary in first class counties a sum not exceeding ten thousand dollars, in second class counties a sum not exceeding five thousand dollars and in third and fourth class counties a sum not exceeding three thousand dollars, which shall be paid by the State Treasurer from a fund to be made available for that purpose, upon their filing in his office a certificate specifying in detail the items of such disbursement.

Repealer.

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

Approved April 13, 1921.

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#### CHAPTER 351.

Amendment to an act entitled "An act providing for the valuation of street railway property in this State," passed May fifth, one thousand nine hundred and twenty.

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 providing for the valuation of street railway property in this State," passed May fifth, one thousand nine hundred and twenty, shall be and the same is hereby amended so as to read as follows:

Report.

9. When the valuation of the property of any street railway or traction company is completed as herein directed, the engineering concern so selected to make such valuation shall file with the commission herein constituted a complete and detailed report of such valuation in form available for use for the purpose of fixing rates under existing laws, which report, together with all documents and maps, and other papers accompanying

same shall be immediately transmitted to and filed with the Board of Public Utility Commissioners of this State, and shall be a public record, open to the inspection of the public at all reasonable times, and shall be admitted as evidence in the courts of this State and shall be evidence of the facts therein contained to the same extent as though the same had been produced and proved and the value of the property as set forth in said report shall be accepted by the Board of Public Utility Commissioners of this State as presumptive evidence of the value of said property as of the date specified in said report in any rate proceeding under any law of this State to the extent that the value of said property is a factor in the fixing of a rate; *provided*, that the counsel of any such street railway or traction company, or of any municipality or municipalities affected by such rate or charge, or of the Board of Public Utility Commissioners, may cross-examine the person or persons preparing such report upon any facts, statements or figures therein; *provided, further*, that the Board of Public Utility Commissioners, at any hearing or hearings for the purpose of fixing rates or charges of such street railway or traction company, may request such street railway or traction company, or any municipality or municipalities affected by such rates or charges, to submit other evidence of the value of the property of such street railway or traction company, subject to cross-examination by any interested party; *provided, further*, that the said Board of Public Utility Commissioners may also, on its own initiative, submit such other evidence, subject to cross-examination by an interested party; and may also consider the evidence heretofore duly submitted to it in any hearing or investigation before said board involving the reasonableness of the rates or charges of such street railway or traction company, in so far as such evidence relates to the value of the property of any such street railway or traction company; *and provided, further*, that any hearing or hearings for the purpose of fixing rates or charges of such street railway or traction company shall be preferred over all other hearings before said Board of Public Utility Commissioners, and shall

Public record.

Proviso.

Proviso.

Proviso.

Proviso.

.be determined and decided within three months from the date of the filing of the said report of the valuation of such street railway or traction company.

2. This act shall take effect immediately.

Approved April 13, 1921.

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JOINT RESOLUTIONS.

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## Joint Resolutions.

### JOINT RESOLUTION No. 1.

Joint Resolution authorizing the appointment of three Senators to be named by the President of the Senate, and three members of the House of Assembly to be named by the Speaker thereof, who shall constitute a joint committee to make a survey of questions of public interests, and to investigate violations of law and the conduct of any public official, public body, department, board or commission.

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

1. There shall be appointed a committee consisting of three members of the Senate to be named by the President of the Senate, and three members of the House of Assembly, to be named by the Speaker thereof, who shall constitute a joint committee for the purpose of making a survey of any questions of public interest and to investigate violations of law, the conduct of any public official, public body, board, department or commission. The members of said committee shall serve without salary, but shall be entitled to receive reimbursement for all necessary traveling expenses. The committee shall select a chairman and secretary and shall have power to employ necessary legal, clerical and other assistants.

Joint committee on questions of public interest.

Officers and assistants.

2. The said committee shall sit at such times and places as the majority of them shall decide, and shall have power to compel the attendance of witness, and

Meetings; witnesses; subpoenas.

the production of books and papers by notice or subpoena, and shall have power to administer oaths, examine witnesses and to determine its own procedure.

Appropriation.

3. There is hereby appropriated the sum of ten thousand dollars or so much thereof as may be necessary for the expenses of said committee.

Report.

4. The joint committee so constituted shall report the result of its survey and investigation, with such recommendation as it may deem advisable, to the present or the next session of the Legislature.

5. This joint resolution shall take effect immediately.  
Approved February 1, 1921.

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### JOINT RESOLUTION No. 2.

A Joint Resolution for the appointment of a joint legislative committee to investigate the subject of coal shortage and other commodities in the State of New Jersey and the causes thereof, and to ascertain and determine whether combinations or associations exist whereby the supply of coal is controlled and prices fixed, and whether discriminations or other illegal practices exist in the coal trade, resulting in acute shortages and high prices to consumers in the State of New Jersey.

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

Preamble.

WHEREAS, There exists a serious menace to the health of the people of our State, due to an inadequate supply, and in some cases an utter failure to obtain a supply of coal and other commodities; and

Preamble.

WHEREAS, In many industrial centers and in the more densely populated districts many families and especially children are suffering by reason thereof, and

such a condition is becoming aggravated with the approach of cold weather; and

WHEREAS, Throughout the entire State there is a rising tide of protestation and complaint against this deplorable condition; and

Preamble.

WHEREAS, There is a pronounced and vigorous demand on the part of our citizens that some action be taken to relieve the extreme situation now existing; therefore,

Preamble.

BE IT RESOLVED, That a committee consisting of three Senators to be named by the President of the Senate and three members of the House of Assembly to be named by the Speaker thereof, be constituted a joint committee, the chairman thereof to be selected by a majority of the committee, to investigate the subject of coal shortage and other commodities in the State of New Jersey, and the causes thereof, and to ascertain and determine whether combinations or associations exist, whereby the supply of coal is controlled and the prices thereof fixed, and whether discriminations or other illegal practices exist in the coal trade.

Committee to investigate coal shortage.

Such committee shall have power in addition thereto to investigate all wholesale and retail dealers in coal and other commodities, all combinations, pools or associations to which such dealers, whether wholesale or retail, may belong, all agreements or understandings between dealers, whether wholesale or retail, and all monopolies and discriminations or practices of every kind, nature or description whatsoever.

Powers.

Such committee shall have power to compel the attendance of witnesses, the productions of books, papers and such other evidence as the committee shall deem proper. Any member thereof is authorized to administer oaths, and witnesses shall be entitled to receive the same fees as now allowed witnesses in the courts of this State.

Witnesses, etc.

Such committee shall have power to employ counsel, a secretary, stenographer and a sergeant-at-arms and necessary clerical and other assistants.

Assistants.

Such committee shall sit at such times and places as the majority of them shall decide.

Meetings.

- Appropriation. The sum of ten thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated for the purpose of carrying out the provisions of this resolution, and the report of the committee shall be presented to the next session of the Legislature.
- This joint resolution shall take effect immediately.
- Approved March 3, 1921.

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JOINT RESOLUTION No. 3.

A Joint Resolution concerning the reorganization of the medical and institutional service at the State Home for Boys.

- Preamble. WHEREAS, During a period of two and one-half years examinations have been made of the inmates of the State Home for Boys at Jamesburg by physicians, psychiatrists, and other experts, and these reveal that eighty-five per centum of the inmates have some physical defect and that fifty per centum of these are underdeveloped mentally and are in need of surgical operations;
- Preamble. WHEREAS, It is the opinion of these specialists that these defects are a serious and important contributing cause of the delinquencies of these individuals;
- Preamble. WHEREAS, The appropriations made each year during the last two and one-half years by the Legislature have made possible the development of a program of reorganization of that home;
- Preamble. WHEREAS, The following physicians, Dr. James A. Ackerman, Dr. Joseph Ackerman, Dr. H. B. Dorr, Dr. J. G. Savannah, Dr. Norris, Dr. C. B. Prout, Dr. R. L. Leighton, Dr. Marshall C. Pease, Dr. Thomas W. Salmon, Dr. B. H. Garrison, Dr. J. A. Fisher, Dr. B. Moffat, Dr. L. Leonard, Dr. E. Wagner, Dr. W. H. Fairbanks, Dr. Henry A. Cotton, Dr. Franklin G. Ebaugh, Dr. Edgar A. Doll, have rendered signal medical service in and for the State Home for

Boys, which promises to change effectually and permanently the character of work and service performed by the said home; and

WHEREAS, The aforesaid physicians have expressed their willingness to co-operate, without payment of any salaries, with county authorities in contiguous territory and with the institutional authorities in doing preventive health work;

Preamble.

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

1. That a copy of this resolution be presented to each of the aforesaid physicians as an expression of appreciation by the State of New Jersey for the service thus rendered to its wards of the State Home for Boys.

Resolution of appreciation.

2. This resolution to take effect immediately.

Approved April 7, 1921.

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JOINT RESOLUTION No. 4.

Joint Resolution for the appointment of a designated commission to survey the financial and institutional relations between the State of New Jersey and the several counties thereof in the matter of the care of the insane and tubercular, and to report to the next Legislature a bill, or bills, revising, supplementing or amending the laws of the State in relation thereto.

WHEREAS, The legislation now in force in this State governing the financial and institutional relations between the State of New Jersey and the several counties thereof in the matter of the care of the insane and tubercular, both private and indigent, is in need of revision and correction as well by supplement as by amendment; and

Preamble.

WHEREAS, It is desirable that such changes and improvements in the existing laws should be carefully

Preamble.

made with reference to the proper division of the cost of the maintenance of the insane and tubercular in this State, by representatives of the several departments and institutions of the State and the counties affected thereby; therefore

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

Commission  
on cost of  
insane and  
tubercular.

That a commission consisting of the State Commissioner of Institutions and Agencies; the Attorney-General, or a representative selected by him; the State Treasurer, or a representative selected by him; the chief executive officers of one of the State Hospitals for the Insane to be selected by the Board of Control of Institutions and Agencies; the chief executive officer of the State Hospital for Tuberculosis at Glen Gardner; and a representative of each of the counties of the State in which there is now established and conducted a county hospital for the insane, to be selected by the respective boards of chosen freeholders of such counties, be authorized and directed to consider the existing legislation and draft a proper revision, or amendments or supplements, of the laws now in force, with such necessary changes as may be for the most equitable distribution of the cost of maintenance of the insane and tubercular in this State; and be it

Meetings and  
report.

*Resolved, further,* That said commission shall serve without pay, and hold at least two meetings, and report in the aforesaid manner to the next Legislature.

Approved April 7, 1921.

## JOINT RESOLUTION No. 5.

Joint Resolution to authorize the Board of Commerce and Navigation to enter into an agreement with the Dundee Water Power and Land Company, subject to the approval of the Legislature, with regard to the improvement of the Passaic river and the surrender by said company of some of its charter rights.

WHEREAS, Under Joint Resolution No. 4, approved Preamble. March fourth, one thousand nine hundred and eighteen, Joint Resolution No. 5, approved April fourteenth, one thousand nine hundred and nineteen, and Joint Resolution No. 1, approved April twenty-first, one thousand nine hundred and twenty, the Board of Commerce and Navigation was authorized to investigate, and, after hearing, the Dundee Water Power and Land Company and persons or corporations engaged in manufacturing or otherwise holding leases for water power from said Dundee Water Power and Land Company, to enter into agreement with said Dundee Water Power and Land Company, subject to the approval of the Legislature of the State of New Jersey, wherein and whereby said company would agree to relinquish certain of its charter rights and privileges for the purpose of improving the navigation at the mouth of the Passaic river and for the purpose of providing for navigation by locks and for the impounding of water in wet seasons for use for navigation in dry seasons, or was so authorized and directed in words of such import; and

WHEREAS, No report sufficient and comprehensive in its Preamble. terms has been submitted to this Legislature, in order to enable this Legislature to enact with knowledge of all the facts valid legislation for the accomplishment of the purposes indicated; and

## JOINT RESOLUTION NO. 5.

- Preamble. WHEREAS, No executed agreement has been entered into and submitted with said report as was suggested in the joint resolution hereinabove referred to; and
- Preamble. WHEREAS, The Legislature at this session cannot, before final adjournment, give the proper consideration to the subject-matter as expressed in said joint resolutions and herein; now therefore
- BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*
- Investigations. 1. The Board of Commerce and Navigation is authorized and directed to continue its investigations as may be necessary and to enter into such agreement with the Dundee Water Power and Land Company as it has been directed heretofore to enter into with said company as in its discretion may seem advisable, and to report the same for ratification to the Legislature of the State of New Jersey at the next session of one thousand nine hundred and twenty-two, and that in lieu of the submission of a duly executed agreement at said time, and, in any event, in addition thereto, there be submitted to the Legislature at the commencement of said session a report of such facts as will enable it to take such action as may be necessary and advisable in the premises.
- Report. 2. This resolution shall take effect immediately.
- Approved April 8, 1921.

## JOINT RESOLUTION No. 6.

Joint Resolution for the appointment of a commission for the purpose of preparing a building code which shall be applicable to all parts of the State of New Jersey where at the present time there are no building codes in operation.

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

1. The Governor is hereby authorized and directed to appoint a commission to be known as the "New Jersey Building Code Commission," which shall consist of six members, citizens of New Jersey, two of whom shall be registered architects, two structural engineers and two experienced contractors. Commission on building code.

2. It shall be the duty of the said commission, during the year of nineteen hundred and twenty-one, to investigate all building codes throughout the State of New Jersey and prepare a proper and uniform building code which shall be applicable to all parts of the State of New Jersey where at the present time there are no building codes in operation. This commission shall submit to the Legislature at its next session a report showing their labors, together with the proposed law. Investigation.  
Report.

3. This commission may incur such reasonable expenses for stenography, typewriting, printing and counsel fees, not exceeding five thousand dollars, if it is found necessary, and such expenses shall be paid by the State Treasurer upon the warrant of the State Comptroller. Appropriation.

4. This joint resolution will take effect immediately.  
Approved April 12, 1921.

## JOINT RESOLUTION No. 7.

A Joint Resolution expressing the thanks and appreciation of the people of the State of New Jersey to the trustees of the Baron De Hirsch Fund for the gift of lands and buildings to the State of New Jersey for institutional purposes.

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

Preamble. WHEREAS, The trustees of the Baron De Hirsch Fund, such trustees being directors of the Woodbine Land and Improvement Company, a corporation, have, by deed of gift transferred to the State of New Jersey, for institutional purposes, lands and buildings of the Baron De Hirsch farm, in the county of Cape May; and

Preamble. WHEREAS, Such a gift is of incalculable value to the people of our State, and is of material aid in the development of our institutional system for the care of our dependents; and

Preamble. WHEREAS, It is fitting and proper that the people of the State of New Jersey, through their legislative representatives, should recognize the public spirit of the trustees who have so materially aided in the promotion of the public welfare of our citizens; therefore,  
 Resolution of thanks. *Be it resolved,* That the people of the State of New Jersey, through their duly elected representatives, do hereby express deep appreciation and thanks to the said trustees of the Baron De Hirsch Fund for the aforesaid gift; and

Copy given. *Be it further resolved,* That an engrossed copy of this joint resolution, under the seal of the State, be transmitted to said trustees.

This joint resolution shall take effect immediately.

Approved April 12, 1921.

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PROCLAMATIONS.

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## Proclamations by the Governor.

### PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, Thousands of tons of farm produce are allowed to go to waste because of lack of quick means of transportation; and

WHEREAS, The high cost of living will be materially reduced by furnishing a means of bringing this food to market; and

WHEREAS, Our railroads cannot keep pace with the demands of industrial and commercial expansion unless they are relieved of the burden of the short-haul; and

WHEREAS, The elimination of waste of time and money in distribution will spur production because it will be in the interest of the producer and yet afford to the consumer fresh supplies of food at a reduction in price,

NOW, THEREFORE, I, EDWARD I. EDWARDS, Governor of New Jersey, do hereby proclaim the week beginning Monday, May 17th, 1920, as

#### SHIP-BY-TRUCK—GOOD ROADS WEEK

in New Jersey, and I hereby call upon farmers, merchants, and others interested in transportation matters, to meet on designated days in their respective communities, to consider the serious problems which are apparent in our Commonwealth as to the transportation of produce and supplies.

Given under my hand and the Great Seal of the State of New Jersey, this eleventh day of  
[SEAL.] May, A. D. one thousand nine hundred and twenty, and of the independence of the United States the one hundred and forty-fourth.

EDWARD I. EDWARDS,

*Governor.*

THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, The appointment of certain officers required by law to be named by the Governor, with the advice and consent of the Senate, is of such importance that in the opinion of the Governor public necessity requires the convening of the Senate in accordance with the provisions of Article V, paragraph 6 of the State Constitution;

NOW, THEREFORE, I, EDWARD I. EDWARDS, Governor of the State of New Jersey, in and by virtue of the power vested in me by the Constitution, do hereby convene the Senate of this State to meet in special session in the Senate Chamber, State House, Trenton, on Tuesday, the twenty-seventh day of July, A. D. 1920, at eleven o'clock, standard time, in the morning of said day.

Given under my hand and the Great Seal of the State of New Jersey, this twenty-ninth day of June, A. D. one thousand nine hundred and twenty, and in the independence of the United States the one hundred and forty-fourth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Notwithstanding repeated warnings as to the devastating effect of preventable fires, through the medium of Executive Proclamation and State and municipal officers charged with the protection of life and property, it appears from carefully compiled statistics for the year 1919 that New Jersey suffered a seven dollar per capita fire loss, as compared with an average three dollar per capita fire loss for the United States, to which must be added an incidental and irreparable loss of life and injury of persons.

This tremendous property waste includes not only the destruction and damage to buildings and forests, furniture and equipment, material raw and manufactured, but—more important now—foodstuffs and wearing apparel, of which millions of dollars worth of those absolute essentials for life and comfort were destroyed at a time when their value was so great.

With the present-day housing condition so acute, the cost of living so high, and no assurance of immediate relief in view, it becomes a duty, to which every resident of our commonwealth should respond, to join in the nationwide movement to minimize and eventually eliminate this stupendous loss occasioned by preventable fires.

NOW, THEREFORE, I, EDWARD I. EDWARDS, GOVERNOR OF THE STATE OF NEW JERSEY, believing the citizens of our State (which was among the first to enact comprehensive laws for the prevention of fires), should and will unite in this movement, do hereby proclaim and urgently request that Saturday, October ninth, 1920, be known and observed as

## FIRE PREVENTION DAY

throughout our State.

To further emphasize the importance of and the necessity for the co-operation of everybody with this

movement, our school authorities should enlist the aid of teachers and pupils, and I recommend that every citizen assist by removing any danger found to exist upon his own property; that rubbish, trash and unnecessary accumulation of inflammable material be destroyed; that heating and lighting appliances be inspected and repaired where necessary; that factories, public buildings and institutions be inspected for fire risks; that attention of governing bodies of municipalities be given to hydrants, water pressure, fire apparatus and appliances, and that wise and precautionary measures be utilized to prevent fires.

I further request that campers, hunters and others who use, for pleasure or profits, the forests of our State, whether in the State Reserve or private property, carefully refrain from making fires where underbrush, dry leaves and decayed vegetation abound, and from leaving smouldering embers of fires or throwing away lighted cigars, cigarettes and matches in such places.

Given under my hand and the Great Seal of the State of New Jersey, this eighteenth day [SEAL.] of September, A. D. one thousand nine hundred and twenty, and in the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, William J. Browning was, at the General Election held on Tuesday next after the first Monday in November, in the year of nineteen hundred and

eighteen, 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 twenty-fourth day of March, nineteen hundred and twenty, 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, EDWARD I. EDWARDS, 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 second day of November next, ensuing the date hereof, for the purpose of electing a member of the House of Representatives to fill the vacancy caused by the death of the said William J. Browning.

Given under my hand and the Great Seal of the State of New Jersey, at Trenton, this [SEAL.] twenty-first day of September in the year of our Lord one thousand nine hundred and twenty, and of the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, The appointment of certain officers required by law to be named by the Governor, with the advice and consent of the Senate, is of such importance that in the opinion of the Governor public necessity requires the convening of the Senate in accordance with

the provisions of Article V, Paragraph 6 of the State Constitution;

NOW, THEREFORE, I, EDWARD I. EDWARDS, Governor of the State of New Jersey, in and by virtue of the power vested in me by the Constitution, do hereby convene the Senate of this State to meet in special session in the Senate Chamber, State House, Trenton, on Tuesday, the nineteenth day of October, A. D. 1920, at eleven o'clock, standard time, in the morning of said day.

Given under my hand and the Great Seal of the State of New Jersey, this thirteenth day of [SEAL.] October, A. D. one thousand nine hundred and twenty, and the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Of the many organizations which can justly claim the support of all right-minded American citizens, none is more deserving of support and encouragement than the Girl Scouts. The aim of this organization is so worthy, the ideals which it holds up to its membership so noble, and the practical results of its training so beneficial, that we should all lend our support to the movement which has for its object an increase in membership.

The widening of the scope of woman's activities and the responsibilities incident upon the exercise of the right of suffrage call for a broader and more varied training, than was necessary in the past. The training

in citizenship which this organization offers, the lessons in home-making and health-building which it instills, and the spirit of unselfish service and thoughtfulness for others which it inculcates and which is exemplified by the slogan of the Girl Scouts—"Do a Good Turn Daily." All these agencies contribute powerfully toward the development of a type of womanhood of which America stands in need and which will be a vital asset to the welfare of the country.

It is most desirable that the attention of the public be directed toward this work, and that parents, teachers and all Americans who have the best interests of the girlhood of this country at heart should become interested in this movement and should encourage the girls of America to enroll in this organization.

THEREFORE, I, EDWARD I. EDWARDS, Governor of the State of New Jersey, do hereby proclaim the week beginning November sixth and ending November 15th as

GIRL SCOUT WEEK

and trust that the campaign for members will receive unqualified support.

Given under my hand and the Great Seal of the State of New Jersey, this sixth day of [SEAL.] November, A. D. one thousand nine hundred and twenty, and in the independence of the United States the one hundred and forty-fifth.

(Signed) EDWARD I. EDWARDS,

*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Again the people of America are given the opportunity of co-operating in service to humanity through the medium of the Fourth Annual Roll Call of the Red Cross. The renewal of membership in the Red Cross will enable this remarkable organization to carry on its works of mercy through the sphere of its activities.

The American Red Cross needs no recommendation to the American people. We are all familiar with the stupendous character of its operations in the recent war—operations so far-reaching and conducted on so vast a scale as to merit our unqualified admiration and support. That the American people were not insensible to the scope and character of the work of the Red Cross in past years is evidenced by their response to former roll calls.

But there still remains a vast amount of work to be done in the Army and Navy, in Europe, and at home. In the Army and Navy the Red Cross still continues to give aid and comfort to thousands of men still in the service, and has been entrusted by the Government with the carrying on of vocational work for men blinded in the war. In Europe the Red Cross is valiantly trying to alleviate the appalling conditions on the Eastern Front, is fighting pestilence and want, and is in need of all the aid we can give it; while at home, in addition to ministering to suffering and needy humanity, the Red Cross is undertaking to avert a vast amount of sickness, and is trying, by education, to minimize the spread of disease and prevent the hundreds of thousands of deaths which occur annually from preventable diseases.

To be given the opportunity of aiding in this noble work is indeed a privilege, and I trust that the citizens of New Jersey will gladly respond to the call for mem-

bership in the drive which begins on November 11th and lasts until November 25th.

Given under my hand and the Great Seal of the State of New Jersey, this sixth day of [SEAL.] November, A. D. one thousand nine hundred and twenty, and in the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,

By the Governor: *Governor.*  
THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

On November 11th, 1918, an expectant world, eagerly watching the efforts of the Allies to crush the armies of the German Empire, was electrified by news of the armistice. As the history of the thrilling feats performed by the boys of the American Expeditionary Force was revealed to our people, an abiding faith and pride in the valor and courage of the American armies filled their souls.

To afford an opportunity of giving expression to these sentiments and to evidence the deep appreciation in which the boys of the A. E. F. are held by the people, it is urged that Thursday, November 11th, 1920, be set apart for commemorating the great day which brought victory to America and her allies.

Where possible, business should be suspended, and the day given over to the holding of celebrations evidencing the feeling of the American people.

Given under my hand and the Great Seal of the State of New Jersey, this eighth day of [SEAL.] November, A. D. one thousand nine hundred and twenty, and in the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,

By the Governor: *Governor.*  
THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

It is not hallowed custom alone which in this year of grace 1920 should bring the people of the United States of America to offer up prayers of thanksgiving for the blessings which have come to them during the year, nor should the force of tradition be the only power impelling us to a proper observance of Thanksgiving Day. Rather should there be a spontaneous outburst of devotion, praise and thanksgiving for the blessings which have been showered so abundantly upon this favored land.

We should consider the material blessings which have come to America. Let us give thanks for the bountiful fruits of the earth and for the success of our industries and commerce, and though the dark cloud of war is no longer hanging over us, the anxieties and tribulations which are the accompaniment of war are still so fresh in our minds that we can yet feel deeply and humbly grateful for the successful termination of the war and the lifting of the heavy load that weighed upon the hearts of our people.

Furthermore, it is eminently fitting that in this year of 1920, which marks the three hundredth anniversary of the Landing of the Pilgrim Fathers, we should give particular thanks for the establishment of our free institutions. Our forefathers sought relief from oppression. Is it not a matter of prayerful pride to reflect upon the millions of people since their day who have found in America not merely a refuge from oppression, but, by virtue of our system of government, have been granted the opportunity of working out their destinies in freedom and justice?

THEREFORE, I, EDWARD I. EDWARDS, Governor of the State of New Jersey, do hereby proclaim November 25, 1920, as

THANKSGIVING DAY

and urge that the people of our State gather in places

of worship and give thanks for the blessings and the mercies extended throughout the year. Let us ask Divine guidance for the future, and pray that the material progress of our country will never impair our sense of justice, and that the "free institutions" which our forefathers established through hardship and suffering may be ever preserved in their integrity.

Given under my hand and the Great Seal of the State of New Jersey, this sixteenth day of November, A. D. one thousand nine hundred and twenty, and in the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, The appointment of certain officers required by law to be named by the Governor, with the advice and consent of the Senate, is of such importance that in the opinion of the Governor public necessity requires the convening of the Senate in accordance with the provisions of Article V, paragraph 6 of the State Constitution:

NOW, THEREFORE, I, EDWARD I. EDWARDS, Governor of the State of New Jersey, in and by virtue of the power vested in me by the Constitution, do hereby convene the Senate of this State to meeting in special session in the Senate Chamber, State House, Trenton, on Thursday, the thirtieth day of December, A. D. 1920,

at one o'clock, standard time, in the afternoon of said day.

[SEAL.] Given under my hand and the Great Seal of the State of New Jersey, this twenty-seventh day of December, A. D. one thousand nine hundred and twenty, and in the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

The Victory Medal, authorized by Congress as a token of appreciation for patriotic war service, is ready to be issued to those who honorably served on active duty in the Army, Navy or Marine Corps at any time between April 6, 1917, and November 11, 1918.

The Victory Medal is beautiful in appearance. Of tones bronze, it was designed by a famous American sculptor.

But even more important and more valuable than the appearance of the medal is the valorous service and high conception of American citizenship which it represents. It bespeaks the Nation's gratitude for those self-sacrificing ideals which make a nation great. While, perhaps, the great war is of too recent occurrence to permit a proper perspective of the enormity of the demands made upon the country's youth and the wonderful response thereto, nevertheless, as time passes this realization will be more complete, and an emblem such as the Victory Medal will be of priceless value to the friends, relatives and descendants of those who fought

with honor and distinction, even though personal modesty may not permit such a high value being placed upon it in the eyes of those by whom it has been earned.

THEREFORE, I, EDWARD I. EDWARDS, Governor of New Jersey, do hereby issue this Proclamation, urging that soldiers and sailors and all former service men of New Jersey entitled to this medal make application for it at once. Application may be made at any recruiting station, either of the Army, Navy or Marine Corps, or through the nearest Post of the American Legion. Jersey men of whom we are all proud are most earnestly urged to do this, not only as a part of their duty in assisting the War Department in the proper distribution of the Victory Medal, but also as a matter of right and justice to themselves.

Given under my hand and the Great Seal of the State of New Jersey, this thirtieth day [SEAL.] of December, A. D. one thousand nine hundred and twenty, and in the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, The appointment of certain officers required by law to be named by the Governor, with the advice and consent of the Senate, is of such importance that in the opinion of the Governor public necessity requires the convening of the Senate in accordance with the provisions of Article V, paragraph 6 of the State Constitution:

NOW, THEREFORE, I, EDWARD I. EDWARDS, Governor of the State of New Jersey, in and by virtue of the power vested in me by the Constitution, do hereby convene the Senate of this State to meet in special session in the Senate Chamber, State House, Trenton, on Wednesday, the fifth day of January, A. D. 1921, at twelve o'clock noon of said day.

Given under my hand and the Great Seal of the State of New Jersey, this third day of [SEAL.] January, A. D. one thousand nine hundred and twenty-one, and in the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

It is most important, at this stage of the world's history, when so many elements are combining to upset the established forms of government, that every encouragement should be given to the movement which is being fostered by patriotic and public-spirited citizens to inculcate in the minds of all our people, both native-born and foreign, a respect for law and order and a reverence for our institutions.

To aid in the perpetuation of these institutions, our State, and our present form of government; to offset the world-wide propaganda, now directed to the people of this country, of mistrust and sedition, aimed at the home, all forms of religion, and the Government itself; to meet any peril that may be started by a noisy minority for ulterior purposes employed by an alien or enemy government, Soviet or revolutionary.

I, EDWARD I. EDWARDS, Governor of the State of New Jersey, do hereby designate Sunday, January 23, as

## LAW AND ORDER SUNDAY,

and respectfully suggest that, so far as is practicable, a sermon on law and order and the necessity for upholding the government be preached from every pulpit on this day.

Given under my hand and the Great Seal of the State of New Jersey, this thirteenth day [SEAL.] of January, A. D. one thousand nine hundred and twenty-one, and in the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

Of all the calamities which follow upon the wake of war none is more disastrous and more pitiful than the condition which exists to-day among the little children of Central and Eastern Europe. Because of the widespread destruction attendant upon the war and the complete disruption of agriculture and commerce in those stricken countries the people are experiencing want and famine, and the greatest sufferers are the children. Fully three million five hundred thousand of these helpless little ones are suffering from under-nourishment, and in order to provide the necessary food until the next harvest the European Relief Council is starting a campaign to secure thirty-three million dollars, an amount which, though small in comparison with the vast wealth

of our country, will do an incalculable amount of good and serve to tide over these unfortunates until the harvest time.

It is a sufficient guarantee that the money will be distributed wisely and in the most effective manner possible to say that Mr. Herbert Hoover is National Chairman of the European Relief Council. This Council is composed of the following organizations: The American Red Cross, American Relief Administration, American Friends' Service Committee, Jewish Joint Distribution Committee, Federal Council of Churches of Christ in America, Knights of Columbus, Young Men's Christian Association and Young Women's Christian Association. These organizations have distinguished themselves by their relief work in Europe, and are trained to handle the problems which they will meet in their work of mercy.

It seems almost superfluous to make any further appeal to the people of New Jersey than to simply call attention to the appalling conditions and the need for aid. Our people have always responded so generously to any appeal of this kind in the past that I am sure that all that is necessary is to direct their attention to this campaign.

THEREFORE, I, EDWARD I. EDWARDS, Governor of the State of New Jersey, do commend this undertaking to the people of our State, realizing that they will not fail to respond generously and that they will welcome this opportunity to befriend the innocent little victims of war and famine.

Given under my hand and the Great Seal of the State of New Jersey, this nineteenth day [SEAL.] of January, A. D. one thousand nine hundred and twenty-one, and in the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, His Excellency, Warren G. Harding, President of the United States, has by proclamation called upon the Governors of the various States to designate and set apart the week of May 22-28, 1921, as Forest Protection Week, and to request all citizens of their States to plan for that week such educational and instructive exercises as shall bring before the people the serious and unhappy effects of the present unnecessary waste by forest fires, and the need of their individual and collective efforts in conserving the natural resources of America; and

WHEREAS, For fifteen years New Jersey, through its forest fire service, is giving Nature the chance that she seeks to maintain forests wherever the land is not needed for a higher and more essential purpose; and

WHEREAS, The timber now produced by our two million acres of woodland—forty-five per cent of the State's area—has a net value as stumpage of not over \$2,500,000 yearly; while the land and standing forests are assessed at not over \$6,000,000; and

WHEREAS, Under proper protection, and with the minimum of expense for management, they are capable of producing every year at least \$10,000,000 worth of the wood that our people now are obliged to import, and of advancing to an assessable value of \$200,000,000; all this without an attempt to represent the scenic or recreational value of well-kept forests.

NOW, THEREFORE, I, EDWARD I. EDWARDS, Governor of the State of New Jersey, believing the citizens of our State, which was among the first in the Union to enact comprehensive laws for the prevention of forest fires, should and will unite in this movement, do hereby proclaim and urgently request that the week of May 22-28 be known and observed as

## FOREST PROTECTION WEEK.

To accomplish the purpose sought the special aid of the Press, always foremost in a worthy cause, is urged,

and our school authorities should make an effort to enlist the service of teachers and pupils, not alone in a study of the problem, but by their metaphorical organization into an auxilliary of our regularly constituted forest fire prevention forces, thus giving the Garden State the largest practical unit for the cause that may be hoped for.

I further request that motorists, campers, hunters and others who use for pleasure or profits the forests of our State, whether in the State Reserve or private property, carefully refrain from making fires where underbrush, dry leaves and decayed vegetation abound, and from leaving smoldering embers of fires or throwing away lighted cigars, cigarettes and matches in such places.

Given under my hand and the Great Seal of the State of New Jersey, this third day of  
[SEAL.] May, A. D. one thousand nine hundred and twenty-one, and in the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, The Comptroller did, on the third day of January, nineteen hundred and twenty-one, under the provisions of an act entitled "An Act to amend an act entitled 'A further supplement to an act entitled "An Act to provide for the imposition of State Taxes upon certain corporations and for the collection thereof," approved April eighteenth, one thousand eight hundred and eighty-four,' which supplement was approved June third, one thousand nine hundred and five," which amendment was approved March eleventh, one thousand nine hundred and fourteen, report to the Governor a list of all corporations coming under this 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 1918, under the laws of the State of New Jersey, and made payable into the State Treasury; and

WHEREAS, Under the provisions of said act the charters of said corporations are revoked and all powers conferred by law upon such corporations declared inoperative and void, unless the Governor gives further time for payment; and

WHEREAS, The Governor has not given further time to the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, EDWARD I. EDWARDS, GOVERNOR OF THE STATE OF NEW JERSEY, pursuant to the provisions of said act of the Legislature, do hereby issue this proclamation that the charters of the following named corporations so reported, and in default, to wit:

## MISCELLANEOUS CORPORATIONS.

## UNPAID TAXES FOR THE YEAR 1918.

Acme Co.  
Acme Cut Glass Co.  
Acme Dye and Chemical Co.  
Acme Moving Picture Producing Co.  
Acme Realty Co. No. 1.  
Active Chemical Co.  
A. D. Boulanger and Sons, Inc.  
Advance Construction Co.  
A. E. Savage Baking Co.  
A. H. Edwards Provision Co.  
Aircraft Specialties Co.  
Air Engineering Co.  
Alabama and New Orleans Transportation Co.  
Alcro Realty Co.  
Alembic Process Co.  
Algonquin Co.  
Allen B. Laing Co.  
Allen Garage Co.  
Allen's.  
Allen Valve Manufacturing Co.  
Allied Grocers Corporation.  
All-Package Grocery Stores Co.  
A. Loehnberg & Co.  
Alpha Chemical Works, Inc.  
Alvins Women's Wear.  
Amboy Lighting Co.  
Amboy Works.  
American Apron and Petticoat Co., Inc.  
American Automotive Co.  
American Building Co.  
American Business Men's Protective Association.  
American Color and Chemical Co., Inc.  
American Construction Co.  
American Ethelburga Co.  
American File Reclaiming Co.  
American Forged Nut Co.  
American Hotel Supply Co.  
American Military Sanitation Co.

American Nipple Co.  
American Photo Printing and Developing Co.  
American Process Cocoa Co.  
American Silk Dyeing and Finishing Co.  
American Theatre Co.  
Ampere Building Co.  
Arbi Realty and Construction Co.  
Arctic Stores.  
Arlington Bus Co.  
Armstrong-Hill Construction Co.  
Arnold Motor Car Co.  
Artistic Homes Co., Inc.  
Asher & Co.  
Associated Shippers, Inc.  
Atherton Machine Co.  
Atlantic Aircraft Co.  
Atlantic Button Works, Inc.  
Atlantic Distributing Corporation.  
Atlantic Heights Improvement Co.  
Atlantic Highlands Realty and Amusement Co.  
Atlantic Real Estate and Investment Co.  
Atlantic City Hotel Corporation.  
Atlas Distributing Co.  
Austin, Drew & Co.  
Austin Specialty Co., Inc.  
Automatic Can Filling Machinery Co.  
Automatic Manufacturing Co.  
Automatic Specialty Co.  
Automatic Tramway Corporation.  
Automatic Vending Machine Co.  
Avon Beach Co.  
Bailey Hubach Lumber Co.  
Baltimore Electric Talking Sign Co.  
Bangor Slate Co.  
Bank Street Garage Co.  
Barber & Hornow, Inc.  
Barre-Bowers Film Corporation.  
Barrett Brothers Co.  
Baryta Manufacturing Co., Inc.  
Bayonne Department Store.  
Bayonne and Elizabeth Realty Corporation.  
Bayonne Wetwash and Steam Laundry Co.

Beaver Dam Cranberry Co. (No. 2).  
Bee Realty Co.  
Belleville Chemical Co.  
Belleville Motor Co.  
Bell Silk Co.  
Belvidere Land Co.  
Benjamin Plumbing Co.  
Bennett Improvement Co.  
Bergen Advertiser, Inc.  
Bergen Mortgage and Investment Co.  
Bergen and West Side Motor Car Co.  
Best Tire Co.  
B. Getzoff, Inc.  
Binder Realty Co.  
Birkenhauer Brewing Co.  
Bi State Realty Co.  
Bitumo Enamel Co.  
Blackburn Toy Manufacturing Co.  
Blackstone Co. (N. J.)  
Blackwell Realty Corporation.  
Blairstown House, Inc.  
Blauvelt Knitting Co.  
Block-Brode Amusement Co.  
Blum Silk Mills, Inc.  
Bodenweiser's Stables, Inc.  
Boise Valley Fruit Co.  
Boulevard Park, Inc.  
Boulevard Supply Co.  
Bowen-Taylor Engineering Co.  
Bowers Art Service.  
Bowman-Herr-Morgan Hotels Corporation.  
Boyer Manufacturing Co.  
Boynton Beach Co.  
Brant Beach Water Co.  
Bressman & Tonken, Inc.  
Bridgeton Brick Co.  
Bristol Wall Paper Co.  
Broadway Motor Car Co.  
Broadway Producing Co.  
Broadway Theatre Co.  
Broadway Tire and Supply Co.  
Bronfman & Kremer.

Brovan Motors Co.  
Brueckner Realty Co.  
Bruner Chemical Co.  
Buena Vista Silk Co.  
Burlington County Auto and Transportation Co  
Butler Chemical Co.  
Butler Electric Light and Power Co.  
Butler Gas Lighting and Heating Co.  
Butterworth-Jager Realty Co.  
Byron Construction Co.  
Cadillac Film Corporation.  
Calco Chemical Co. (No. 1).  
Caldwell Garage and Machine Shop.  
Calger Realty Co.  
Camden Amusement Co.  
Camden Billposting Co.  
Camden Mercantile Co.  
Camden Mortgage Co.  
Camden-Suburban Water Co.  
Campbell Amusement Co.  
Canister Co.  
Capital City Lace Manufacturing Co.  
Casimir Von Philp Co.  
C. Buhl Textile Engineering Co.  
C. & C. Leather Co.  
Cedarcrest Orchard and Produce Co.  
Central Garage and Livery Co.  
Champion Lumber Co.  
Charles Building and Construction Co.  
Charles E. Frost Co.  
Charles E. Van Syckle, Inc.  
Charles Graul Co.  
Charles Mueller Co.  
Charles Pfadenhauer Co.  
Charles T. Beckman & Son, Inc.  
Charles Whitnall, Inc.  
Chemical Corporation of New Jersey.  
Chicago Pilot Motor Car Co.  
Citizens Local Telephone Co.  
Citizens Transportation Co.  
City Garage Co.  
Civic Development Co.

Civilization Film Corporation.  
Clarke Machine Manufacturing Co., Inc.  
Clementon Aquatic Amusement Co.  
Cliff Hill Land and Improvement Co.  
Clifton Porcelain Tile Co., Inc.  
Clintex Holding Co.  
Clinton Amusement Co.  
Coast Plumbing Supply Co.  
Cobalt Chemical Co., formerly Niasco Chemical Co.  
Cogswell & Boulter Manufacturing Co.  
Cohen & Miller, Inc.  
Coleman Pharmacy.  
Collegiate Realty Co.  
Colloty Co.  
Colonial Inn Co.  
Colonial Iron Ore Co.  
Columbia Corporation.  
Columbia Leather Co.  
Columbia O. K. Ice Cream Co.  
Combitone Pictures Corporation.  
Comfort Knitting Mills Co., Inc.  
Commercial Coal Co.  
Commercial Manufacturing Co.  
Common-Sense Manufacturing Co.  
Compro Film Co., Inc.  
Cona Construction Co.  
Concord Co.  
Concrete Resinol Co.  
Congress Corporation.  
Consumers Brewing Co. of Trenton, N. J.  
Consumers' Exchange.  
Consumers' Gas Co. of Millville.  
Cook's Storage Warehouse Co.  
Cooley Land Co.  
Co-operative Engineering Co.  
Co-operative Orchards Co.  
Co-operative Paint Store.  
Coosa Cement Co.  
Coosa Portland Cement Co.  
Corbett & Clarke, Inc.  
Corrugated Grinding Wheel Co.  
Cortlandt Realty and Investment Co.

County Park Realty Co.  
Crabb Clay Products Corporation.  
Cracow Honey Cure Co.  
Cresco Beverage Co.  
Crisis Picture Corporation.  
Croce Automobile Co.  
Crucible Company of N. J.  
C. R. Williams Toy Co.  
Crystal Lunch, Inc.  
C. S. Edwards Co.  
C. T. Coe Co.  
Cumberland Amusement Co.  
Cumberland Oil and Gas Co.  
Cunningham Foundry Corporation.  
Curtin Bros. Contracting Co.  
Cutter & Wood Supply Co.  
D'Amour Machine Co.  
Daniel J. Murphy Co.  
Danville Packing and Cold Storage Co.  
D. A. Vanhorne & Co., Inc.  
David M. Rorer Aviation Co.  
David R. Shannon, Inc.  
Davidson & Epner, Inc.  
Davis Land Co.  
D. B. Dunham & Son.  
De Brier's Real Estate Co.  
De Haupts Grocery.  
Delany Foreign Co.  
De Lauder Finishing Co.  
Delaware and Belvidere Telephone and Improvement Co.  
De Meese Welding and Manufacturing Co.  
Denlyn Realty Corporation.  
Des Lauriers Aircraft Corporation.  
Diamond T. Motor Company, Inc.  
Dicks Press Guard Manufacturing Co.  
Diez Cigar Co.  
Di Napoli-Toriello Construction Co.  
Dispatch Building, Inc.  
D-K Corporation.  
D. M. Products Company.  
Dr. Louis R. Radin, Inc.  
Dodge-Weldon Iron Co.

Dolo-San Remedy Co.  
Dolwood Machinery and Supply Co.  
Douglass Land Co.  
Dover Milk and Cream Co.  
Drew Leather Belting Co.  
Eagle Oil Co. of New York.  
Eagle Piece Dye Works.  
Eagle Rock Silk Co.  
Eagle Rubber Cement Co.  
Earp-Thomas Metal Products Co.  
Eastside Home Building Co.  
Eastside Motor Sales Corporation.  
Eastern Bedstead Co., Inc.  
Eastern Cigar Manufacturers.  
Eastern Milling Co.  
Eastern Travellers Association.  
Easton and Phillipsburg Home Building Company.  
E. B. Brown and Co.  
E. B. Clark, Inc.  
Economy Department Store, Inc.  
Edgar L. Meeker Co.  
Edgerton and Bertram, Inc.  
Edwin Petry-Van Riper Building and Lumber Co.  
Efficient Contractors, Inc.  
E. Goodman, Inc.  
E. J. Holland Construction Co.  
E. J. Kerns Mfg. Co.  
Electric Accumulator Co.  
Electric Cushioned Armor Co.  
Elevation Orchards Co.  
Elgin Motor Sales Co.  
Eliot Amusement Co.  
Elite Lunch Co.  
Elizabeth Credit Store.  
Elk Coated Paper Company.  
Emblem Grocers Company.  
Emory Realty Co.  
Empire Sales Co.  
Engineering Development Co.  
Enterprise Realty Co., Inc.  
Equitable Warehouse Co.  
Erie Transfer Co.

Essex and Hudson Securities.  
Essex Optical Co.  
Essex Precision Tool and Machine Co.  
Essex Tool Works.  
Estates of Ventnor.  
Eureka Sand and Lumber Co.  
Evermore Realty Co.  
Exeter Land Co.  
Fairfield Manufacturing Co.  
Fairfield Silk Co.  
Fairmount Garage Co.  
Fair Silk Co.  
Famous Players Exchange.  
Farmers' and Poultrymen's Exchange.  
Farm Lighting and Power Co.  
Federal Cement Co.  
Federal Co-operative Ass'n.  
Federal Iron Works.  
F. & H. Delivery Co.  
F. H. Walsh Auto Service Co.  
Finance Investment Co.  
Fineburgs' Auto Tire and Accessory Co.  
Fire Escape and Railing Co.  
Fisher Construction Co.  
Flemington Horse Shoe Co.  
Flemish Phonograph Co.  
F. M. Soule, Inc.  
Foley Automobile Co.  
Forester's Hall Association.  
Forester's Home Co.  
Forest Hill Theatre, Inc.  
Formigli Architectural Stone Co.  
Fort Lee Motion Picture Corporation.  
Francis J. Pursell Co.  
Frank B. Young Co.  
Frank Hall Productions, Inc.  
Franklin Limestone Co.  
Fraternity Fruit Farm Co.  
Freeman Co.  
French Model Shop.  
French Specialty Shop.

Fries Breslin Co.  
Frontenac Land Co.  
F. S. Motor and Garage Co.  
Fulton Garage.  
Furth Company.  
F. W. Fletcher Steamship Co.  
Garage Construction Co.  
Garden Products Co.  
Gardner Transfer Co.  
Gardner Warehouse Co.  
Garfield Floral Co., Inc.  
Garland-Fisher & Co.  
Garret A. Hopper Estate.  
Garrett Engineering Company, Inc.  
Gasoline Products Co.  
Gefes Machine Co.  
Geist Hat and Cap Co.  
Geller Roofing and Concrete Works, Inc  
Gelman Hat and Cap Co.  
General Appliance Co. of America.  
General Supply Co. of Glen Rock.  
George Bockhaus Co.  
Geo. C. Bahr, Inc.  
George H. Crawford, Inc.  
George M. Dunlap Co.  
George W. Fulton Silk Tapestry Co.  
Gilbert High Grade Used Car Co.  
Gilt Edge Manufacturing Co., Inc.  
Gindin Builders, Inc.  
Globe Paint and Wall Paper Co.  
Gloucester Beach Amusement Co.  
Glyzine Co.  
G. M. Seaton Co.  
Goldberger, Bros., Inc.  
Goldstein Outfitting Co.  
Good Realty Co.  
Gordon Pavilion Co.  
Gorman Bros., Inc.  
Gotham Export Co.  
Great Harbor Terminals Corporation.  
Greater Newark Land Co.  
Greek-American Importing Co.

Greenfield Dairy Co.  
Greenwood Realty and Construction Co.  
Greer Oil Corporation,  
Grenloch Realty Co.  
Grocers Company of New Jersey.  
Grocers Specialty Co.  
Grossman-Illman Co.  
Grossman & Weissberger, Inc.  
G. & T. Auto Supply Co.  
Gurtman Sheet Metal Works.  
Guttenberg Bread and Macaroni Manufacturing Co.,  
Inc.  
Hackettstown Gas Co.  
Haddon-Browning Realty Co.  
Haddon Heights Real Estate Co. (No. 2).  
Hadentine Lumber Co.  
Hambacher Realty and Construction Co.  
Hamburg Lumber Co.  
Hamilton Ice Manufacturing Co.  
Hammond Lumber Co. (No. 2).  
Harbor Contracting Co.  
Harris, Bennett Music Corporation, Inc.  
Harris Brothers Cigar Co.  
Harris-Clark Co.  
Harry W. Campbell Co.  
Hart & Brown Auto Sales Co.  
Hartmetz Realty Co.  
Harvard Silk Co.  
Hayes & Son, Inc.  
Hays Waists, Inc.  
Heath Method Co.  
Hedd Chemical Co.  
Henderson & Stanton, Inc.  
Henry B. Smith Film Corporation.  
Henry Grah Hershfield, Inc.  
Hercules Storage Battery Co.  
Herzog Lamp Co.  
High Class Amusement Co., Inc.  
High Clothing Co., Inc.  
Highways Advertising Co.  
Hill Contracting Co.  
H. K. Perry Co., Inc.

H. N. Moore, Inc.  
Hoffman Investment Co.  
Hoffman Pharmacy.  
Home Building Co. of Perth Amboy.  
Home Construction Co.  
Home Land and Mortgage Company of New Jersey.  
Home-Site Land Co.  
Horton Soda Water Co.  
Hotel Casino.  
Howard Land Improvement Co.  
H. R. Machine and Garage Co.  
Hudsex Investment Co.  
Hudson Bag Manufacturing Co.  
Hudson Dental Laboratory, Inc.  
Hudson Embroidery Corporation.  
Hudson Lighterage Co.  
Hudson Manufacturing Co. (No. 2).  
Hudson Telephone Co.  
Huneker & Son, Inc.  
Hunyadi Realty Co.  
Hurst Air Craft Corporation.  
Ideal Furniture Co.  
Ideal Leather Co., Inc.  
Ideal Piece Goods Dyeing Co.  
Ideal Steel Barrel Co.  
Iffland's.  
Independent Merchants Association.  
Independent Salad and Cooking Oil Co., Inc.  
Independent Silk Dyeing Co.  
Indian Ridge Park Development Co.  
Industrial Show Corporation, Ltd.  
Ingersoll Grocery Co.  
Inlet Improvement Co.  
Institute Investment Co.  
Insurers Agency Corporation of New Jersey.  
International Fibre Co.  
International Forge Co.  
International Fur Dressing and Dyeing Co.  
International Realty and Development Co.  
Interstate Construction Co.  
Inter-State Financing and Construction Co.  
Interstate Purchasing Co.

Iprtecu Chemical Co.  
Ironbound Dyestuffs Co.  
Irvington Co-operative Co.  
Italian Master Bakers, Inc.  
Jackson Chemical Works.  
Jas. Brown, Jr., & Sons.  
James Smith, Jr., Leather Co.  
J. B. Adelberg, Inc.  
J. D. B. Rubber Co.  
J. D. McQuade Chemical Co.  
Jefferson Tungsten Co.  
Jersey City Bill Posting, Display Advertising and Sign  
Co.  
Jersey City Retail Grocers Food Show Co.  
Jersey City Window Cleaning Co.  
Jersey Art Co.  
Jersey Brick and Ice Co.  
Jersey Egg, Butter and Farm Products Co.  
Jersey Keystone Wood Co.  
Jersey Steel Co., Inc.  
J. Frank Hayes.  
J. & M. Realty Co.  
John F. Reynolds, Inc.  
John H. Doremus Co.  
John H. Parker Co.  
John H. Pierson Iron Works, Inc.  
John J. Bodmer Co.  
John R. Price, Inc.  
John Woodward & Co.  
Jongle Realty Co.  
Joseph Axlerad Co.  
Joseph D. Smith & Son Co.  
Joseph E. Nowrey & Co.  
Joseph J. Gries Co.  
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Joseph Stulb Varnish Co.  
Joseph Wittes.  
Journal Publishing Co.  
J. R. Co.  
J. Sola & Co.  
J. S. Sowerbutt Realty Co.  
Junction Family Shoe Store.  
Junior Knitting Co.  
J. W. Holweg Co.

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Karl F. Hofmann Co.  
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Kempshall Supply Co.  
Kensington Construction Co.  
Kent Motors Corporation.  
Kerben Realty Co.  
Keystone Investment Co. of Bayonne, N. J.  
Keystone Manufacturing Co., Inc.  
Keystone Wagon Co.  
Khan-dhu Manufacturing Co.  
King Chemical Works.  
Kingsland Realty Co.  
Kingston & Burnett Co., Inc.  
Koch Bros. Co.  
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Krause & Vix, Inc.  
Kruvant-Ruderman Co.  
K. & W. Silk Co.  
L. Adler & Co., Inc.  
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Little Falls Poultry Co.  
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Mando Realty Co.  
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Margate Coal, Lime and Cement Co.  
Marine Supply Co.  
Market & Beaver Realty Corporation.  
Martin R. Everett.  
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Masker Outfitting Co.  
Master Wax Co.  
Mattey Construction Co.  
Matthews Steel Company, Inc.  
Maurice River and Leesburg Oyster Co.  
Max Miller Realty Co.  
Maydrite Machinery Co.  
May's, Inc.  
Mayzel Building Co.  
McCord & Co.  
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Meadowbrook Farms Co.

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Minnesink Realty Co.  
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M. M. Nugent & Co.  
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Moneyback Corporation of New Jersey.  
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Morris Feed Co.  
Morristown Improvement Association.  
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“Somegg” Product Co.  
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South Jersey Auto Supply Co.  
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South Jersey Foundry Co.  
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Standard Photochemical Co.  
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Stegman Construction Co.  
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Stone Harbor Casino Co.  
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Suburban Realty Improvement Co.  
Suburban Realty Co., Perth Amboy, N. J.  
Suburban Society Publishing Co., Inc.  
Summit Door Co.  
Summit Realty Co.  
Sunlight Silk Co.  
Sun Publishing Co.  
Supreme Embroidery Co.

Surf Rider Co.  
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Swiller Brothers.  
Swinehart Sales Agency.  
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Sylvan Lakes Realty and Improvement Co.  
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Temperance Development and Agency of N. J.  
Tenafly Service Co.  
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Thelma and Atlantic City Realty Co.  
Three Star Tire Company.  
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Tivoli Hotel Co.  
Toms River Land Improvement Co.  
Townsend System of Co-operation, Inc.  
Trenton and Camp Dix Auto Bus Co.  
Trenton Decalcomania Co.  
Trenton Gas and Electric Fixture Manufacturing Co.  
Trenton Sand Co.  
Trenton Taxicab and Transportation Co.  
Triangle Buffet, Inc.  
Trio Embroidery Works.  
Trio Investment Co.  
Tri-prong Hair Pin Co.  
Troy City Laundry.  
True Republican Banner.  
Tube Zone Realty Co.  
Turner Automatic Fan and Manufacturing Co.  
T. W. Dorsett Co.  
Two Brothers Wine and Liquor Co.  
U-H Magneto Co.  
Ukrainian Haydamaka Ass'n.  
Union Chemical Co.  
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United Profit-Saving Foods Companies.  
United Realty Co.  
United Realty and Construction Co., Inc.  
United Refuse Paper Co.  
United Silk Co.  
U. S. Collapsible Metallic Casket Co.  
U. S. Internal Combustion Co.  
U. S. Patriotic Novelty Co.  
United States Piece Dyeing Co.  
United States Realty and Mortgage Corporation.  
U. S. Toy Co.  
U. S. Yarn Co.  
Universal Chemical Works.  
Universal Electric Co.  
Universal Novelty Manufacturing Co. of Newark.  
Universal Service and Automobile Sales Corporation.  
Universal Ticket Co.  
Uptown Realty and Construction Co.  
Uptown Auction and Furniture Co.  
Uptown Clothes Shop.  
Uvalde Carting Co.  
Vailsburg Building Co.  
Van Deman Auto Co., formerly Westcott Motor Co. of  
N. J.  
Vanderbeek & Sons, Inc.  
Van Kannel Revolving Door Co.  
Van Orden Manufacturing Co.  
Vassar Apparel Shops.  
Vaughn Private Sanitarium.  
Venetian Marble Tile Manufacturing Co.  
Venice Park Railway Co.  
Ventnor Finance Co.  
Venus Silk Mills.  
V. G. S. Amusement Co.  
Vim Truck Sales Co.

Vineland Arcade Co.  
Vulcan Soot Cleaner Co. of Pittsburg, Pa.  
W. A. Holcomb Co.  
Waldwick Bleachery, Inc.  
Walker-McKinney Co.  
Wallawhatoola Springs Co. of Millboro, Va.  
Wallington Yarn Dye Co.  
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Washbauer & Breitenstein Finishing Co.  
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Wayne Contracting Co.  
W. C. Kennah & Co.  
Wearwell Rubber Co.  
Weehawken Realty Co.  
W. E. Griffith & Co., Inc.  
Weiller Manufacturing Co.  
Well-Worth.  
Wescott Chocolate Co.  
Westchester Chemical Co.  
West End Manufacturing Co.  
West Jersey Clothing Co., Inc.  
West Jersey Sand and Gravel Corporation.  
West New York Pants Co.  
West Orange Hotel Co.  
West Road Realty Co.  
West Side Chemical Charcoal Co.  
West Wildwood Water Co.  
Western Development Co.  
Westfield Hardware Co.  
Westfield Real Estate Co.  
Weydig-Henkelman Piano Manufacturing Co.  
Whalen Co.  
Whalen Lock Co.  
White Kitchen Products Co.  
Whitehead Real Estate Co.  
White Market Co.  
Whitney Yeast Co.  
Wiederhold Mantle and Burner Co.  
William A. Waters Co.  
William E. Jackson, Inc.  
William J. Bosshardt & Co., Inc.

William J. Haggerty Trading Co.  
William R. Worth & Son, Inc.  
William T. Van Horn Co.  
Wilpragh Corporation.  
Windsor Corporation.  
Wirkman's Vienna Delicatessen Co.  
Wishnack & Jackson Co.  
Wonder Seal Co.  
Woodford Oak Sole Leather Manufacturing Co.  
Workmen's Realty Co.  
W. R. Holmes Co.  
Wrightstown Utilities Corporation.  
Yankee Toy Co.  
Yokohoma Silk Co.  
Zell Fisheries Corporation.  
Zenorini Embroidery Apparatus Co.

are void, and all powers conferred by law upon such corporations and each of them are hereby declared inoperative and void.

Given under my hand and the Great Seal of the State of New Jersey, this fifteenth day of [SEAL.] March, A. D. one thousand nine hundred and twenty-one, and in the independence of the United States the one hundred and forty-fifth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, The appointment of certain officers required by law to be named by the Governor, with the advice and consent of the Senate, is of such importance that in the opinion of the Governor public necessity requires the convening of the Senate in accordance with the provisions of Article V, paragraph 6 of the State Constitution;

NOW, THEREFORE, I, EDWARD I. EDWARDS, Governor of the State of New Jersey, in and by virtue of the power vested in me by the Constitution, do hereby convene the Senate of this State to meet in special session in the Senate Chamber, State House, Trenton, on Tuesday, the Seventh day of June, A. D. 1921, at eleven o'clock (Standard Time) in the morning of said day.

Given under my hand and the Great Seal of the State of New Jersey, this first day of [SEAL.] June, A. D. 1921, and in the independence of the United States, the one hundred and forty-fifth.

EDWARD I. EDWARDS,  
*Governor.*

By the Governor:

THOMAS F. MARTIN,  
*Secretary of State.*

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Change of Corporate Title  
of Municipalities.

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(1017)



## **Change of Corporate Title of Municipalities.**

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In pursuance to the provisions of Chapter 200 of the Laws of 1911, the following changes of corporate titles of municipalities have been filed in the office of the Secretary of State:

“The Mayor and Council of the Borough of Delford” changed to “The Borough of Oradell,” November 12, 1920.

“The Mayor and City Council of the City of Garfield” changed to “City of Garfield,” November 29, 1920.

“The Mayor and Council of the Borough of Carlstadt” changed to “Borough of Carlstadt,” April 16, 1921.



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**Statements of Results of Municipal  
Elections.**

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(1021)



## Statements of Results of Municipal Elections.

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The following municipalities have filed in the office of the Secretary of State statements of the results of elections held as provided in Chapter 22, Laws of 1915:

Chapter 221, Laws of 1911, approved April 25, 1911, entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities in this State," was adopted by the

Borough of Oaklyn, ..... July 13, 1920  
Borough of Audubon, ..... March 29, 1921



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# DECREES OF DISSOLUTION

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(1025)



## Decrees of Dissolution.

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IN CHANCERY OF NEW JERSEY.

In pursuance of Chapter 185 of the Laws of 1896, copies of decrees of dissolution of the charters of the following corporations have been filed in the office of the Secretary of State:

<i>Name.</i>	<i>Filed.</i>
Merchants Express Co.,	December 28, 1920.
Newark Silver Co.,	June 10, 1921.



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